

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2724

### Title: Financial support fund for Seven Sisters Market traders

#### Executive Summary:

The Mayor's report 'Understanding London's Markets' recognises markets as being part of the fabric of London life. Seven Sisters Market is a vibrant indoor market made up of 38 traders and plays a vital role in London's Latin American community as a specialist, culturally specific amenity.

In Mayoral Decision 1051 dated 17 August 2012 the then Mayor directed Transport for London (TfL) to enter into arrangements with the London Borough of Haringey to provide financial support of £284,500 to support businesses during the planned temporary relocation of the market pending regeneration of the local area. Mayoral Decision 1051 was not implemented due to the relocation not taking place yet and is therefore superseded by this new Mayoral Decision which requires TfL to make available up to £500,000 in financial support to traders.

The freehold interest in the building is owned by TfL. The market is located in an area due to be regenerated by Haringey Council and TfL is contractually bound to sell the building to Haringey's development partner Grainger. The agreement was reached to avoid the building being acquired by compulsory purchase. As part of the redevelopment, Grainger is required to provide traders with space for a temporary market located at Apex Gardens and then a purpose-built space for the market will be provided in the new development.

The current market was closed by the then tenant Market Asset Management (MAM) in March 2020 initially due to a failure in the electricity supply and then due to Covid-19 restrictions. Subsequently, the building has been deemed not safe to reopen due to its condition and non-compliance with Health and Safety regulations. TfL has concluded that it is not possible to address the safety concerns to reopen the market in its current site, or for TfL to provide a suitable and viable alternative market, before the planned move to Apex Gardens in 2021.

As such, the Mayor requested that TfL explore options for supporting traders through this period of closure to ensure a successful transition to the temporary site at Apex Gardens. He is now invited to direct TfL to provide direct financial assistance to the market traders to support them in the interim period. As the provision of the financial support is outside the scope of TfL's statutory powers, a delegation of the Mayor's powers is also necessary.

#### 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 GLA Act to undertake the activities required by the attached Direction in accordance with the terms of the attached Delegation; and
- 2) directs TfL under section 155(1)(c) 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:

30/11/20

## **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 that sits above Seven Sisters underground station in Tottenham. The market is 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 is made up of 38 traders and plays a vital role in London's Latin American community.
- 1.2. Haringey Council, working with its development partner Grainger PLC, has long had plans to regenerate this part of the borough.
- 1.3. Planning permission was granted to Grainger for the redevelopment of the wider Wards Corner site in 2012. This was supported by a compulsory purchase order (CPO) made by Haringey Council in 2016 and approved by the Government in early 2019. Faced with the CPO, TfL entered into an agreement with Grainger in 2017 for the sale of the building, which is expected to complete in 2021, subject to a series of conditions being met.
- 1.4. Key to securing approval during the planning process was ensuring both a temporary provision for the market during development and provision for the market in its entirety in the new development. This was a vital part of the mitigation needed to address the potential negative equalities impact of the scheme. Haringey Council and Grainger entered into a Section 106 Agreement to provide a temporary market space for the duration of the redevelopment scheme, located at Apex Gardens, close to the existing site. The regeneration of Seven Sisters will then provide a purpose-built indoor market directly comparable and in the same format as the existing market. The regeneration is being led by Haringey Council in partnership with Grainger and at this stage it is not clear when the regeneration will be completed.
- 1.5. As a significant landholder in the area, TfL stands to benefit both from the regeneration and from public realm improvements around the station entrances. This was recognised during the planning permission process and it was agreed that TfL would provide support to existing businesses in order to maximise the diversity of the new scheme and the preservation of its local character.
- 1.6. A Mayoral Decision (MD1051) was made in August 2012 by the previous Mayor, directing TfL to make £284,500 available to assist with the relocation of traders and to provide other forms of business support related to the future market. That Mayoral decision was not implemented due to the relocation not taking place yet and is now superseded by this one, which requires a higher level of financial support due to recent exceptional and unforeseen circumstances.
- 1.7. In March 2020 the indoor market was closed. Initially the closure was necessary because of a failure in the power supply. However, within a short period the market was closed in line with national Covid-19 restrictions. Subsequently, independent surveys commissioned by TfL identified significant health and safety issues and the building has been deemed not safe to reopen. In June 2020, TfL accepted the surrender of the lease with Market Asset Management (MAM), then tenant. TfL had expressed its concerns about that company's failure to address health and safety concerns. Further, MAM had stated on a number of occasions that it was insolvent and facing an imminent administration process.
- 1.8. Following surrender of the lease, TfL was able to undertake further works to assess the repairs required to enable the market to reopen. TfL commissioned and carried out a range of surveys and defined the scope of works required to make the market safe. The surveys identified extensive rectification work needed, including a range of fire safety works, electrical and gas remedials, all of which are safety critical. This would have required significant and time-consuming works which were unlikely to complete before the traders relocated to Apex Gardens. An alternative temporary outdoor market option was explored but could not be ready until February 2021 at the earliest. Due to the short length of time these options would be able to be operational before the relocation to Apex

Gardens (expected in Spring-Summer 2021), TfL made the difficult decision to cease work on reopening the market at its existing site.

- 1.9. Considering the length of time the market will remain closed (from March 2020 until Spring-Summer 2021) and the financial impact the closure is having on the livelihoods of the traders, staff and their families, the Mayor has made it clear that financial support to traders must be provided.

## **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. It is expected that the proposed financial support fund will help protect the market by supporting traders financially while they are unable to trade until the move to the temporary site at Apex Gardens. This will work in parallel with a workstream from TfL seeking to relocate traders at zero rent onto the TfL estate for a temporary period.
- 2.2. It is proposed that a fund be made available from TfL funds to traders, administered by TfL. Robust criteria will be developed to ensure best value, and fair allocation of funds. Eligible traders will need to apply for funding and would receive a single payment in recognition of the financial challenges they face through the continued closure of the market. The total value of the financial support across all traders is up to £500,000.
- 2.3. The situation at Seven Sisters Market is unique with TfL's role as landlord, and with Haringey Council, Grainger and the GLA having all made specific commitments that Seven Sisters Market should be preserved as part of the regeneration in recognition of its status as a specialist, culturally specific amenity. Many of the traders have not had any income since mid-March and so this financial package delivers on the Mayor's and TfL's commitment to assist in safeguarding the future of the market.

## **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 pending the relocation of the market during the development 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 members 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'. 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 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 Sister's Market will support the London recovery missions. Particularly relevant is recovery mission 'High Streets for All' 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 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. The London Plan's 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.

#### *Risks*

- 4.5. While many small businesses in London are facing challenges due to the Covid-19 pandemic, the mitigations proposed at Seven Sisters Market are directly in response to the specific health and safety challenges at this site, which present unique challenges. There is a risk that without the proposed financial support, small businesses within the market will not be able to survive without being able to trade, resulting in serious consequences for individual traders and their families. Traders being forced to close permanently could cause irreversible damage to the market's identity and vital role in the London's community. Not providing financial support could also open TfL up to the risk of Judicial Review and challenge as to the decisions it has made to date in relation to the market as well as reputational risk.
- 4.6. There is a risk that distribution of financial support is too slow to prevent irreversible damage. To mitigate this, TfL will directly administer the fund and will streamline the process to maximise efficiency.
- 4.7. There is a risk that the funding is not enough to prevent long-term damage to the market's composition. TfL has taken into account the number of traders and the length of time until the relocation to Apex Gardens and judged that a fund of up to £500,000 is an appropriate amount to make available for a financial support fund.
- 4.8. There is a risk of the allocation process not being fair or open to fraudulent applications being submitted. To mitigate this, robust criteria will be developed to ensure best value, and fair allocation of funds. TfL will ensure full due diligence checks take place at eligibility, assessment and decision-making stages.
- 4.9. No officer involved in the drafting or clearing of this Mayoral Decision has any interests to declare.

#### *Consultations and impact assessments*

- 4.10. The GLA has consulted TfL regarding the delegation and direction and their comments have been considered in the preparation of the draft direction.

## **5. Financial comments**

- 5.1. Approval is being sought to direct TfL to make available £500,000 to establish a financial support fund to support traders at Seven Sisters Market as a result of the premature closure of the Market due to the condition, non-compliance and safety of the building.
- 5.2. There are no direct financial consequences for the GLA arising from this decision.

## **6. Legal comments**

- 6.1. The decisions requested of the Mayor fall within his statutory powers under sections 30 and 34 of the Greater London Authority Act 1999 as amended (the GLA Act), acting on behalf of the Authority, to do anything which is facilitative of or conducive or incidental to the promotion of economic development and wealth creation in Greater London.

### *Delegation of Mayoral powers*

- 6.2. TfL's own statutory powers do not extend to the provision of the proposed financial support. Section 38 GLA Act provides that the Mayor may authorise TfL to exercise his functions. The Mayor is therefore invited to delegate his powers under sections 30 and 34 GLA Act to TfL so that it has the necessary powers to comply with the attached Direction.
- 6.3. Section 30 GLA Act gives the Mayor a general power to do anything which he 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; and
  - (c) promoting the improvement of the environment in Greater London.
- 6.4. Section 34 GLA Act allows the Mayor to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of any of his functions (including his functions under section 30).
- 6.5. Section 38(7) 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.
- 6.6. 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 GLA Act and in particular the promotion of economic development and wealth creation in Greater London.

### *Mayoral Direction to TfL*

- 6.7. Section 155(1) GLA Act allows the Mayor to direct TfL to exercise its functions (including those delegated to it) in any manner specified in a direction.
- 6.8. The proposed direction by the Mayor to TfL to provide the 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) 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

Activity	Timeline
Fund open for applications	w/c 30 November
Application assessment begins	December
First payments made	December

### Appendices and supporting papers:

Appendix A – Mayoral Delegation and Direction to TfL



**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**

If YES, for what reason:

Until what date: (a date is required if deferring)

**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:**

Ed Baird 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:**

Heidi Alexander 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 23 November 2020.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

**Signature**

**Date**

*D. Gene*

25 November 2020

**CHIEF OF STAFF:**

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

**Signature**

**Date**

*D. Bellamy*

23 November 2020

