

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2868

### Title: Further financial support fund for Seven Sisters Market traders

#### Executive Summary:

Seven Sisters Market is a vibrant indoor market that consists 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). In 2012 Haringey Council granted planning permission to Grainger to redevelop the site. An associated Section 106 agreement would have seen traders move into a temporary market known as Apex Gardens in spring/summer 2021 during the redevelopment.

In March 2020 the market was closed initially because of 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 the fact these works were unlikely to complete before the opening of Apex Gardens, TfL made the difficult decision to cease work on reopening the market at the existing site. Considering the length of time 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 and payments were made to traders during December 2020.

On 5 August 2021, Grainger confirmed that it would not proceed with the Seven Sisters Regeneration project, including the installation of the temporary market at Apex Gardens. The amount of financial support provided by TfL in late 2020 was based on traders relocating to Apex Gardens in spring/summer 2021 and being able to trade again. Owing to the withdrawal of Grainger from the project, this will not now proceed. Although TfL is progressing plans for a separate temporary market, traders now face a further period where they are unable to trade.

The Mayor is now invited to direct TfL to provide further 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.

#### 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:

31/8/21

## **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 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 consists of 38 traders and plays a vital role in London's Latin American community.
- 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.
- 1.3. In 2012, planning permission was granted to Grainger for the redevelopment of the wider site. 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. This was anticipated 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, located at Apex Gardens (adjacent to the existing site), for the duration of the development works. The redevelopment of the market building by Grainger was then anticipated to provide a purpose-built indoor market directly comparable to and in the same format as the existing market.
- 1.5. In March 2020 the indoor market 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.
- 1.6. In June 2020, TfL accepted the surrender of the lease with Market Asset Management (MAM), the then tenant. TfL had expressed its concerns about that company's failure to address health and safety concerns, and MAM had stated on a number of occasions that it was insolvent and facing an imminent administration process.
- 1.7. Following surrender of the lease, TfL commissioned and carried out a range of surveys and defined the scope of works required to make the market safe. Given the significant cost associated with these works, and the fact they were unlikely to complete before traders relocated to Apex Gardens in spring/summer 2021, TfL made the difficult decision to cease work on reopening the market at its existing site.
- 1.8. Considering the length of time the market was anticipated to remain closed (from March 2020 until spring/summer 2021) and the financial impact of the ongoing closure on the livelihoods of the traders, staff and their families, under MD2724 the Mayor directed TfL to make financial support available to traders. In total, TfL distributed £486,550, comprising direct payments of £13,150 to 37 individual traders.
- 1.9. On 5 August 2021, Grainger confirmed that it would not proceed with the Seven Sisters Regeneration project, including the installation of the temporary market at Apex Gardens.
- 1.10. 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 has not happened. Although TfL is now progressing plans for a separate temporary market, traders now face a further period where they are unable to trade.

- 1.11. 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 such as Seven Sisters Market provide variety, diversity, history and character. They offer 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 helped protect the market by supporting traders financially while they were unable to trade. Given Grainger's withdrawal from the project, 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 this MD. 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.

## **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 reassignment, 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, diversity, history and character. They offer 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 such as those at Seven Sisters Market have a vital role to play in London's recovery from COVID-19. These markets act as a form of social infrastructure by offering opportunities for a wide range of Londoners, often from disadvantaged communities, to positively interact and connect with others, share experiences, get involved in their local area, 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 for the creation of 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 taking 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.

#### *Risks*

- 4.5. There is a risk that providing funding in this instance will set a precedent for other markets in London. While many small businesses in London continue to face challenges as the city recovers from COVID-19, the mitigations proposed at Seven Sisters Market are directly in response to the specific health and safety challenges at this site. This risk is therefore not considered significant.
- 4.6. 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 identity of the market and its vital role in the community. Not providing financial support could also expose TfL 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.
- 4.7. There is a risk that distribution of financial support is too slow to prevent irreversible damage. To mitigate this, TfL will follow the same process of directly and rapidly administering the fund as it successfully did in December 2020.
- 4.8. 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 a temporary market is anticipated to be available for use, and judged that a fund of up to £500,000 is an appropriate amount to make available for a financial support fund.
- 4.9. There is 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 support and cooperation of all traders will be needed to move forward TfL's proposals for a temporary market. It is important that all parties act in good faith to enable a temporary market to open at the earliest opportunity.

#### *Consultations and impact assessments*

- 4.10. The GLA has consulted TfL regarding the delegation and direction and TfL's comments have been considered in the preparation of the draft direction.
- 4.11. 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. 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 of the 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 of the 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:
  - promoting economic development and wealth creation in Greater London
  - promoting social development in Greater London
  - promoting the improvement of the environment in Greater London.
- 6.4. Section 34 of the 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) 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.
- 6.6. 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 of the 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) of the 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) 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.

### **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**

**Part 2 - Sensitive information**

Only the facts or advice that would be exempt from disclosure under the 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:**

Tim Aldham 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 31 August 2021.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

**Signature**



**Date**

31 August 2021

**CHIEF OF STAFF:**

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

**Signature**



**Date**

31 August 2021

