



CPO Report to the Secretary of State for Communities and Local Government

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an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 9 January 2018

TOWN AND COUNTRY PLANNING ACT 1990

ACQUISITION OF LAND ACT 1981

APPLICATION FOR CONFIRMATION OF:

THE LONDON BOROUGH OF HARINGEY

(WARDS CORNER REGENERATION PROJECT)

COMPULSORY PURCHASE ORDER 2016

Inquiry Held on 11 - 27 July 2017

File Refs: APP/NPCU/CPO/Y5420/77066 (ENV/3166341)

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ABBREVIATIONS USED IN THIS REPORT

ACV	Asset of Community Value
AOC	Area of Change
BME	Black Minority Ethnic
CA	Conservation Area
CARA	Clyde Area Residents' Association
CPO	Compulsory Purchase Order
DAS	Design and Access Statement
DMDPD	Development Management DPD, adopted July 2017
DPD	Development Plan Document
ECHR	European Convention on Human Rights
EqIA	Equality Impact Assessment
FCPNM	Framework Convention for the Protection of National Minorities
FTE	full-time equivalent
GLA	Greater London Authority
GVA	gross value added
HSP	Haringey Strategic Policies, adopted March 2013
HSPA	Haringey Strategic Policies Alterations, adopted July 2017
HUDP	Haringey Unitary Development Plan, 2006
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of all forms of Racial Discrimination
ICESCR	International Covenant on Economic Social and Cultural Rights
LB	listed building
LPCA	London Plan Consolidated with Alterations
LUL	London Underground Limited
MAMSSL	Market Asset Management (Seven Sisters) Ltd
NMTF	National Market Traders Federation
NPPF	National Planning Policy Framework
OA	Opportunity Area
PIM	Pre-Inquiry Meeting
PGRA	Page Green Residents' Association
PSED	Public Sector Equality Duty
psf/pa	per square foot, per annum
PTAL	Public Transport Accessibility Level
SoS	Secretary of State
TAAP	Tottenham Area Action Plan, adopted July 2017
TfL	Transport for London
TPDF	Tottenham Physical Development Framework, March 2014
TSRF	Tottenham Strategic Regeneration Framework, March 2014
ULVPF	Upper Lee Valley Planning Framework, July 2013
UN	United Nations
UNCRC	UN Convention on the Rights of the Child, 1989
WCCC	Wards Corner Community Coalition
WGRSSDT	West Green Road & Seven Sisters Development Trust

File Refs: APP/NCPU/CPO/Y5420/77066 (ENV/3166341)
The London Borough of Haringey (Wards Corner Regeneration Project)
Compulsory Purchase Order 2016

- The Compulsory Purchase Order was made under section 226(1)(a) of the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 by the Council of the London Borough of Haringey.
- The purposes of the Order are: to facilitate the carrying out of development, redevelopment or improvement, on or in relation to the land.
- The main grounds of objection relate to (i) the effects on the Seven Sisters Market, and on the market traders and the Latin American community of which they are part; and (ii) the loss of the existing buildings, and the consequential effects on the Conservation Area.
- The numbers of qualifying and non-qualifying objections and other representations are set out in paragraphs 2-6 below.

Summary of Recommendation: That the Order be confirmed, subject to minor modifications, as set out in my Formal Recommendation.

PRELIMINARY MATTERS

Procedural details

1. The Order was made on 14 September 2016, and submitted to the Secretary of State (SoS) on 22 September. Notices of the Order were published on 23 and 30 September, and at this time letters in the prescribed form were sent to the persons named in the Schedule of Interests. The period for receipt of objections was initially set as 21 October, and was then extended to 28 October. A Pre-Inquiry Meeting (PIM) was held on 3 May 2017¹. The inquiry opened on 11 July, and sat on 10 days, concluding on 27 July². I conducted accompanied site visits on 14 July and 5 August, as well as unaccompanied visits on various other occasions before and during the inquiry.

Objections and other representations

2. A full list of objectors and other representations to the inquiry is included in the inquiry documents³.
3. A total of 164 duly-made objections were received within the extended period allowed⁴. Of these duly-made objections, 23 were from persons with 'qualifying interests'⁵. A further 25 late objections were received, outside of the extended time limit, all from persons without qualifying interests⁶. At the inquiry, a further 13 persons were permitted to speak, who had not previously made any representation either late or otherwise, and these included six persons holding qualifying interests⁷. In addition, written statements opposing the Order were accepted from a further two persons, one of whom held a qualifying interest⁸.

¹ Docs. GID/1 and GID/2: Inspector's pre- and post-PIM notes

² Doc. GID/8: Programme Officer's Summary of the Inquiry Proceedings

³ Doc. GID/9, 'Inspector's List of Objections, Objectors and Others Making Representation to the Inquiry'

⁴ Doc. GID/9 (as above); duly-made objections are listed in Section A. (Note the total of 164 in this category excludes Nos 27, 31 and 166, for the reasons stated in the List)

⁵ As defined in Section 12 (2) of the Acquisition of Land Act 1981

⁶ Doc. GID/9 (as above), Section B

⁷ Doc. GID/9 (as above), Sections C and F

⁸ Doc. GID/9 (as above), Section D

4. A number of the objectors are stall-holders in the Seven Sisters Market, which forms part of Plot 28 on the Order Map. This group of objectors appeared at the inquiry as 'the Market Traders' Group'. The Group includes 6 objectors with duly-made objections⁹, and a larger number of other interested persons who appeared at the inquiry or made written representations to it¹⁰. Counsel for the Group also gave notice at the inquiry of a further 21 stall-holders and traders (including 17 with qualifying interests) who had not made objections or representations in their own right, but who wished to align themselves with the submissions made on the Group's behalf¹¹.
5. Four representations were received from supporters of the Order. One of these was accompanied by a request to speak at the inquiry, which was granted¹².
6. The objections and representations include four petitions opposed to the Order, containing a total of approximately 1,875 signatures, and one petition in support of the Order, with 26 signatures and 9 attached letters¹³. For the avoidance of doubt, the signatories to these petitions have not been counted as objectors, except where the same individual has also made an objection in their own right. However, in preparing this report and coming to my recommendation, I have taken full account of all the petitions and the strength of local feeling that is indicated in them.

Withdrawn objections

7. During the inquiry, the objections of London Underground Limited (LUL), relating to Objections Nos 003 and 004, and Airmoss Limited (Objection No 007), were withdrawn. Since the close of the inquiry, one further objection has been withdrawn, by Mr N Patel (No. 018)¹⁴.

Compliance with statutory requirements

8. During the inquiry, it emerged that two occupiers of residential premises within the Order lands had been omitted from the Schedule of Interests, and consequently had been excluded from being served with notice of the Order at the correct time, as required by the Acquisition of Land Act 1981. This came to light as the result of oral and written submissions at the inquiry by Mr Emmet Haverty-Stacke (Objection No 108). In the light of, this evidence, I issued a series of written questions to the Council, dated 26 July 2017¹⁵, and the Council replied with further information on 27 July 2017¹⁶.
9. Notwithstanding this procedural failing on the part of the Council, Mr Haverty-Stacke was able to make his objection to the Order, and appeared at the inquiry. The other person affected, a Mr Sean Taylor, has confirmed in writing that he does not wish to object to the Order¹⁷. In the circumstances, although Mr

⁹ Objections Nos 001, 008, 022, 025, 035 and 036

¹⁰ Representations Nos 192 – 205

¹¹ Doc. GID/9 (Inspector's List of Objections, Objectors and Others Making Representations), Section E

¹² Doc. GID/9, Sections F and G

¹³ Representations Nos 27, 29, 31 and 227

¹⁴ Docs. OBJ/003/7W, OBJ/004/1W, OBJ/007/2W and OBJ/018/1W

¹⁵ Doc. GID/5: Inspector's questions regarding possible omissions from Schedule of Interests

¹⁶ Docs. GID/6 and GID/6A Council's response, in redacted and unredacted form (NOTE: the unredacted version contains sensitive personal information)

¹⁷ Attachment to Docs GID/6 and GID/6A

Haverty-Stacke has since suffered the loss of his home, and other consequential effects, neither he nor Mr Taylor appears to have been prejudiced in terms of the inquiry process itself. Consequently, I consider that the error in the Schedule of Interests need not prevent the SoS from proceeding to consider whether the Order should be confirmed, although in that event, the Schedule should be corrected. Other matters arising from Mr Haverty-Stacke's evidence will be dealt with elsewhere in my report.

10. During the inquiry, it was also noted that the Schedule of Interests incorrectly describes the existing uses within the buildings numbered as Plot 28 on the Order Map. However, this error is correctible by way of a minor amendment.
11. In all other respects, the Council considers that the relevant statutory formalities have been complied with. With the exceptions noted above, I am satisfied that this is so.

Other procedural matters

12. On behalf of the Market Traders, it was argued at the inquiry that many of that group have faced particular difficulties in engaging with the CPO process, because their first language is Spanish. I appreciate the problems that this must cause. However, the relevant legislation does not prescribe any special arrangements in this situation, and as such these are matters for the Acquiring Authority's discretion. In this case, as well as extending the original objection period for this reason, the Council has made relevant documents available in Spanish, and has provided a simultaneous translation service at the inquiry. This meant that those who wished to were able to give their evidence in Spanish, through an interpreter, and to hear relevant parts of the Council's evidence translated from English¹⁸. And in any event, all of those needing such assistance were also represented at the inquiry by Counsel, through the Market Traders Group. There is no evidence that language issues have prevented anyone from making an objection, or from appearing or being represented at the inquiry. I am therefore satisfied that no one has suffered any prejudice in this respect.
13. Prior to the inquiry, a procedural objection was raised on behalf of the Market Traders' Group, in an email dated 30 June 2017, against the introduction of a revised Equalities Impact Assessment (EqIA) report dated June 2017¹⁹. On 4 July 2017, I issued a ruling that the document be admitted²⁰. The reasons are set out within the ruling.
14. On 25 July 2017, the inquiry was notified of a letter regarding the Order, from Special Rapporteurs of the United Nations Human Rights Committee²¹. The letter, dated 21 July 2017, is addressed to the Council's development partner, Grainger Plc, and it is understood that a similar letter was sent to HM Government. The letter is not expressed as a representation on the Order, but rather as a request for information about it. However, I note the letter's contents and draw it to the SoS's attention.

¹⁸ Translation services were provided by Mr James Lupton and Ms Beatrice Blackett Espinosa, whose contribution to the inquiry is acknowledged with thanks

¹⁹ CD5/4 (Equalities Impact Assessment, June 2017)

²⁰ Doc. GID/4 (Ruling on revised EqIA)

²¹ Doc. GID/7 (letter from United Nations Human Rights Committee)

FACTUAL BACKGROUND

The Order Lands and Surroundings

The Order Lands

15. The Order lands comprise the street block enclosed by Tottenham High Road, Seven Sisters Road, West Green Road and Suffield Road, amounting to about 0.65 of a hectare. On each of the site's four sides the existing buildings are mainly Victorian terraces, of 2 or 3 storeys. In the case of Suffield Road, the existing use is solely residential, but on each of the other three frontages, the uses are mainly retail on the ground floor, with a mixture of retail, residential and other uses above. Nos 251 and 253 High Road, 721 and 723 Seven Sisters Road, and 2-6 Suffield Road have been demolished, leaving prominent gaps in the frontages.

The Former Wards Store

16. On the High Road frontage, Nos 227 - 249 were formerly the Wards' Department Store, which gave its name to the area, and closed in the 1970s. The former store is made up of three elements. The front part consists mainly of 10 former terraced houses. To the rear, these have been extended in the form of a large flat-roofed, mid-20th-century structure, running the whole length of the terrace. The third element is the 'Corner Building' itself (formerly No 227 High Road and 275 Seven Sisters Road), which is a purpose-built retail shop, on three floors, believed to have been built in around 1909.

Seven Sisters Market

17. Since the 1980s, the ground floor of the former Wards store (excluding the Corner Building) has been occupied as the Seven Sisters Market. The market has nominally 60 units, although this varies from time to time with amalgamations and subdivisions; the current number of separate businesses is around 40. The units are of permanent or semi-permanent construction. Some face outwards onto the High Road, but the majority are internal.
18. In recent years, the market has attracted large numbers of traders from South and Central America, specialising in Latin American-sourced goods and produce, together with some traders from other regions of the world. In May 2014, it was designated as an Asset of Community Value (ACV) ²².
19. The upper parts above the Market, and the whole of the Corner Building, have been vacant for many years, except for No 249, where there is a residential unit on the first and second floors.

The High Road

20. Tottenham High Road, to the north of the Order site, contains a mixture of retail, commercial and community uses. The latter include Tottenham Town Hall, Tottenham Green Leisure Centre, the Marcus Garvey Library, the Bernie Grant Arts Centre, and the College of Haringey, Enfield and North East London (CHENEL), clustered around Tottenham Green. The broad mix of retail and other uses continues northwards for about one mile, to where the new Tottenham Hotspur football stadium is currently under construction. To the south, the High

²² Doc. CD11/15: List of Assets of Community Value (site ref 2014/004)

Road is predominantly residential. West Green Road and Seven Sisters Road contain mixed retail and commercial uses, with residential above, extending some way to the west.

Heritage Designations

21. The High Road, which is now part of the A10, was formerly part of the main coaching route from London to Cambridge²³. As such, it contains some surviving buildings from the Georgian era or earlier, as well as those from the predominant Victorian, Edwardian and later periods. The section which includes part of the Order lands is designated as the Seven Sisters/Page Green Conservation Area (CA)²⁴. Of the Order properties, the CA boundary includes Nos 227-259 High Road and 1A/B – 7 West Green Road (plots 24-28 on the Order Map).
22. The former Barclays Bank (Nos 220-224 High Road), about 50 metres to the north-east, is a Grade II listed building (LB). The Wards 'Corner Building' and 1A/1B West Green Road are locally listed.

The Apex House site

23. Immediately to the south of the junction with Seven Sisters Road, is the site of the recently-demolished Apex House, where development is now under way on a scheme for 163 residential units and 873 sq m of flexible commercial space²⁵. These are to be provided in three buildings, including one of 23 storeys and another of 7 storeys²⁶. This development, on Council-owned land, is being carried out by the same developer, Grainger Plc, which is the Council's development partner for the Wards Corner scheme.

Transport infrastructure

24. Below the Order lands is the Seven Sisters underground station. Access to the station is via two stairways located in the High Road. The ticket office and concourse lie partly underneath the former Wards buildings, and the tracks and platforms extend under these and other properties within the Order lands²⁷. An agreement has been concluded between LUL and Grainger for the acquisition of the necessary rights, and for the safeguarding of the existing transport infrastructure²⁸.
25. The underground station serves the Victoria Line, which provides fast services to Kings Cross, Oxford Circus and Victoria. The station also acts as an interchange with the London Overground route, with connections to Liverpool Street, and to Cambridge and Stansted Airport. The Overground station is located just to the west of the Order site, and is linked to the underground station by a dedicated foot tunnel. Seven Sisters is also identified by Transport for London (TfL) as a possible location for a station on the proposed Crossrail 2 line.
26. The High Road and Seven Sisters Road are also served by numerous bus routes, with services to Finsbury Park, Kings Cross, Liverpool Street and central London.

²³ CD2/16: Tottenham High Road Historic Corridor Character Appraisal, 2009

²⁴ CDs 2/13 and 2/13A: Seven Sisters/Page Green CA Appraisal (2016 and 2017 versions)

²⁵ CD8/3: Apex House site planning permission

²⁶ CDs 8/4 – 8/63: Apex House site approved plans

²⁷ Plans of the below-ground station layout can be found in the Appendices to Mr Howard's evidence for LUL (OBJ/003/6)

²⁸ Docs OBJ/003/7 and 003/8: LUL correspondence re the withdrawal agreement

The Proposed Development

The Development Agreement

27. A development agreement was entered into in August 2007 by the Council and Grainger Seven Sisters Limited, a subsidiary of Grainger Plc²⁹. The objective of the agreement, at section 3, is "to secure a quality redevelopment of the Development Land which promotes the regeneration objectives for the area". The agreement is subject to a number of conditions, set out in sections 4 -12. These relate to: consent from the SoS, agreement with LUL, design approval, detailed planning approval, site assembly, stopping-up of relevant highway land, other necessary consents, funding, and viability.
28. In January 2015, the development agreement was varied by a supplemental agreement³⁰. The objective of the agreement was unchanged, and the conditions were altered in detail only.

The 2008 planning permission

29. In December 2008, planning permission was granted for: "*Demolition of existing buildings, and erection of mixed use development comprising Class C3 residential and Class A1/A2/A3/A4, with access, parking and associated landscaping and public realm improvements*"³¹.
30. In July 2009, a challenge to that permission was brought in the High Court. The challenge was initially dismissed³², but in May 2010 a further appeal was heard in the Court of Appeal. In June 2010 the Court allowed the appeal and quashed the planning permission, on the grounds that the Council had not discharged its duty under Section 71 of the Race Relations Act 1976³³.
31. When the application was remitted back to the Council for redetermination, in August 2011, planning permission was refused, on grounds relating to design and impact on heritage assets³⁴.

The 2012 planning permission

32. In July 2012 the Council granted planning permission for a revised scheme for: "*Demolition of existing buildings, and erection of mixed use development comprising Class C3 residential, Class A1/A2/A3/A4 uses, with access, parking and associated landscaping and public realm improvements*"³⁵.
33. The approved plans³⁶ propose a comprehensive development, with linked buildings of varying heights encircling the site on all four sides. On the High Road and Seven Sisters Road frontages, at ground floor level, the scheme provides for a new market hall with space for around 50 stalls, and 8 individual

²⁹ CD 4/1: the development agreement

³⁰ CD 4/1 (as above)

³¹ CD3/1: planning permission HGY/2008/0303, 24 Dec 2008

³² CD3/2: High Court judgement, 14 July 2009

³³ CD3/3: Court of Appeal judgement, 22 June 2010

³⁴ C3/4: refusal notice for HGY/2008/0303, 3 August 2011

³⁵ CD4/3: planning permission HGY/2012/0915, 12 July 2012

³⁶ CDs 4/12 - 4/27: approved scheme plans

- retail units. The sizes of the latter are said to be aimed at national 'high street' retailers, including one larger one for a food supermarket. Above the central group of shops would also be a restaurant unit overlooking the High Road. On West Green Road, the scheme would provide 6 smaller shop units, suitable for local independent retailers. Above the market and retail units would be residential apartments, on up to six additional floors. On Suffield Road there would be further residential units on five floors.
34. Within the centre of the site at ground level, there would be a service road providing rear access to the shops and market, areas for cycle parking and refuse storage, a plant room, and access to a basement car park for 44 vehicles. Above these, linking all of the perimeter residential units, would be a large communal roof garden, with a play area and landscaped amenity space.
35. In total, the scheme would provide 3,693 sq m of new retail space, including the new market hall of about 865 sq m. In terms of housing, it would provide 196 dwellings, for owner-occupation or private renting (including build-to-let), of which 34 would be 3-bedroom, 109 would be 2-bedroom, and the remainder would be 1-bedroom or studio units. Taking account of demolitions, the net increase would be 154 dwellings. The communal amenity space would amount to 1,538 sq m.
36. The maximum height on the High Road and Seven Sisters Road would be equivalent to 8 storeys, allowing for the double-storey internal heights of the retail units and market hall. On West Green Road and Suffield Road, the maximum heights would be 7 and 5 storeys respectively. In all cases, the uppermost floors would be set back from the building faces.
37. The design takes particular account of the presence of the underground station below the site. This is reflected particularly in the stepping-down of the upper floors in the central section of the High Street frontage, to reduce the loading above the ticket hall and escalators, which are at relatively shallow depth. The design also incorporates the retention of the existing railway ventilation shaft and certain items of essential fixed plant, to enable the line to continue in operation throughout the construction works.
38. With regard to the public realm, in the High Road, the scheme includes new paving, seating and tree planting, new bus stops, and enhancements to the tube station entrances, plus the removal of existing street clutter. 'Memory kiosks' would also be provided, for the display of site-related memorabilia, incorporating salvaged plate-glass shop windows from the existing Corner Building. These measures are proposed to be complemented by the setting back of the central group of retail units, to give the impression of a public square; and by the proposed elevational treatment, featuring a full-height, curved curtain-wall of structural glazing, to create a dramatic focal point in the street scene. New street tree planting is also proposed in Suffield Road, and a contribution would be provided for re-paving of the footways in Suffield Road and West Green Road.

Section 106 Agreement, July 2012

39. A Section 106 planning agreement was entered into by Grainger and the Council on 11 July 2012³⁷. The agreement has since been altered by a Deed of Variation. However, the following provisions in the original agreement remain in force (or have been re-applied in the Deed of Variation):

- the developer to use reasonable endeavours to enter into a lease with a market operator, for the provision of the new market;
- a right for existing traders to be offered a lease or licence in the new market;
- consultation with the traders over the new market's layout;
- consultation with the London Mayor over the terms of the market operator's lease;
- a temporary market to be established, and existing traders to be offered a stall in it, with a 3-month rent-free period;
- the appointment of a Market Facilitator to work with traders and market employees, promote their interests, and give support and advice;
- marketing and letting of the retail units in West Green Road to focus on independent traders; with a right for the Council to approve any non-local tenants, and controls on the amalgamation of units;
- marketing of the residential units to be targeted initially at local residents;
- the developer to implement a community engagement strategy , including diversity monitoring; and
- job and training opportunities within the development to be made available to Haringey residents; contractors and suppliers to be chosen from local businesses where possible.

Deed of Variation, July 2017

40. The Deed of Variation was executed on 25 July 2017³⁸. Earlier drafts of the Deed were tabled for comment during the inquiry³⁹. In its final form, the Deed adds to the original S.106 agreement, principally as follows:

- the temporary market to be located in the commercial space on the ground and mezzanine floors of the Apex House redevelopment scheme;
- a requirement for the Market facilitator to advertise the temporary and new markets to the public;
- a requirement to consult traders about the location of the unit offered to them;
- a guarantee that the size of unit offered in the temporary market will be no less than 90% of the trader's existing licensed unit;
- a scale of licence fees, ranging from £35 per square foot for mezzanine units, and £65 or £75 for zones B and A, to £80 for catering uses; such fees to be

³⁷ CD4/28: the original S.106 agreement, July 2012

³⁸ CD4/38C: S.106 Deed of Variation (as executed, 25 July 2017)

³⁹ CDs 4/38, 4/38A and 4/38/B: draft versions of the Deed of Variation (sometimes referred to as 'DDV')

fixed for the duration of the temporary market (after the 3-month rent-free period);

- the same licence fee to apply at the new market, subject to an initial 30% discount for the first 18-months, then reverting to the full licence fee until the end of month 30;
- thereafter, the licence fee to increase by no more than 2% per annum;
- free relocation, including the costs of removal, fitting out and replacement of non-demountable fixtures and fittings;
- an obligation to set future licence fees at a level to attract and promote local independent traders;
- a commitment that the temporary market will stay open until the new market is ready for occupation;
- A guarantee that once the new market is open, the temporary market will cease to operate; and
- provision for a financial contribution to affordable housing (off-site), if the developer's profit on costs exceeds 20%.

Conservation Area Consent

41. CA consent for the demolition of the High Road frontage buildings was granted at the same time as the 2012 planning permission was granted⁴⁰.

Application for Judicial Review

42. An application to seek judicial review was refused by the High Court in April 2013, and by the Court of Appeal in August 2013⁴¹.

Highway Order

43. In January 2017, an Order was made by the Council, under S. 247 of the Town & Country Planning Act 1990, for the stopping-up of three small areas of highway land in Suffield Road⁴². The cessation of highway rights over these three areas is necessary for the implementation of the proposed development. The Order was unopposed, and thus does not need any further confirmation.

Certificate of Lawful Development

44. On 5 May 2017, the Council issued a Certificate of Lawfulness, certifying that the development permitted by the 2012 planning permission may lawfully be carried out as approved, because the development has now been commenced⁴³. The evidence of Ms Johnson confirms that a lawful start was held to have been made by the carrying out of excavations and the installation of part of a drainage run⁴⁴.

⁴⁰ CD4/3A: CA consent, 12 July 2012

⁴¹ CD4/3B: Court Order refusing leave to appeal, August 2013

⁴² CD4/39: Suffield Road Stopping-Up Order, January 2017

⁴³ CD4/37: Certificate of Lawful Development

⁴⁴ APP/3/1: Ms Johnson's proof – para 6.2

Planning Policy Framework

The Development Plan

45. For the purposes of this inquiry, the development plan comprises:
- the 'London Plan Consolidated with Alterations'(the LPCA), published in March 2016;
 - the Haringey Strategic Policies (the HSP), adopted in March 2013, with Alterations (the HSPA) adopted on 24 July 2017;
 - the Development Management DPD (the DMDPD), adopted on 24 July 2017;
 - and the Tottenham Area Action Plan (the TAAP), adopted on 24 July 2017.
46. The latter three documents were adopted during the course of the present inquiry. At the time when the Order was made, the development plan also included the saved policies of the Haringey Unitary Development Plan (HUDP), adopted in July 2006. This plan became superseded upon the adoption of the HSPA and the TAAP.

*The London Plan (Consolidated with Alterations), March 2016*⁴⁵

47. In the LPCA, Map 2.4 designates a number of general locations as Opportunity Areas and Intensification Areas. One of the Opportunity Areas (OAs) is the Upper Lee Valley. This designation is carried forward from earlier versions of the London Plan.
48. The detailed extent of the OA is defined in the Upper Lee Valley Planning Framework (ULVPF)⁴⁶. The area thus defined extends westwards to include Tottenham High Road, Seven Sisters and the present Order lands. Within the OAs, LPCA Policy 2.13 seeks to realise growth potential, optimise densities, provide social and other infrastructure to sustain growth, and take advantage of existing and proposed public transport links. LPCA Annex 1 notes that the Upper Lee Valley OA also forms part of the London-Stansted-Cambridge-Peterborough growth corridor, and states that development in the OA should provide a stimulus for regeneration in existing communities, including the Tottenham corridor to Stoke Newington.
49. Map 2.5 identifies Regeneration Areas, which are based on the 20% most deprived census areas in London. Most of the eastern part of Haringey Borough, which includes Tottenham, is included in these areas. Within the Regeneration Areas, Policy 2.14 seeks sustained and co-ordinated renewal, bringing together regeneration, development and transport proposals with improvements in employment, the environment and housing, amongst other things.
50. Annex 2 identifies West Green Road/Seven Sisters as a District Town Centre, with medium growth potential, and in need of regeneration. Policy 2.15 seeks to support and enhance the town centres' competitiveness, quality and diversity. It also encourages the consolidation and redevelopment of medium-sized centres, to sustain a viable retail offer, and to secure higher-density housing and high-

⁴⁵ CD 2/2: The London Plan, 2016

⁴⁶ CD2/6: Upper Lee Valley Planning Framework, 2013

quality environments. Policy 4.8 seeks to support a successful and diverse retail sector, to provide sustainable access to goods and services, including support for London's range of markets.

51. Map 2.2 identifies that Haringey forms part of the Outer London area. Policy 2.6 seeks to realise Outer London's potential, to promote local economic opportunities, and to enhance the quality of life. Policy 2.7 seeks to support Outer London's economy so that it can rise above economic trends. Amongst other things, this is to be achieved by bringing forward capacity in and around town centres with good public transport, including by the use of compulsory purchase where necessary.
52. Policy 3.3 seeks to achieve a 10-year housing provision in Haringey of just under 16,000 dwellings up to 2025, as part of a London-wide target of over 423,000 dwellings over the same period.

*Haringey Strategic Policies 2013*⁴⁷, and *Alterations 2017*⁴⁸

53. In the HSP, as altered in the HSPA, Policy SP1 identifies three Growth Areas and two Areas of Change. These designations in the HSPA are carried forward from the original HSP. The Areas of Change (AOCs) are Tottenham High Road and the Seven Sisters Corridor. The Order site is located at the point where these two AOCs converge. In the AOCs, the Council will promote development to achieve strong, healthy and sustainable communities, and meet and exceed the Borough's minimum strategic requirement of 19,800 new homes by 2026.
54. Within the Seven Sisters AOC, paragraph 3.1.42 identifies a specific aspiration to secure the regeneration of the Wards Corner site, and the need for a landmark development related to the tube station, to provide a gateway to the area.
55. HSP Policy SP10 (which is unaltered by the HSPA) seeks to provide for an additional 13,800 sq m of comparison retailing and 10,194 sq m of convenience goods, between the Borough's single Metropolitan Centre, and five District Town Centres. The latter include West Green Road/Seven Sisters, which includes the Order site. In all of the town centres, the policy seeks to promote and encourage retail and other development, and to strengthen and reinvigorate them, through proactive partnerships.

*The Tottenham Area Action Plan, adopted 2017*⁴⁹

56. In the adopted TAAP, Policy AAP2 supports the use of compulsory purchase powers, where necessary to achieve comprehensive development in accordance with other policies of the plan.
57. Policy SS1 supports proposals to promote the regeneration of the Seven Sisters and West Green Road District Centre, which includes the Order lands. The policy also supports the retention of the Seven Sisters Market in the area, and the creation of a high-quality urban realm around Seven Sisters station.

⁴⁷ CD2/4: Strategic Policies, 2013

⁴⁸ CDs 2/18 and 2/22: Strategic Policies – Proposed Alterations 2016 and Inspector's Modifications 2017

⁴⁹ CD2/24: Tottenham Area Action Plan - as adopted, July 2017

58. The Wards Corner site is identified as site SS5, which is allocated for 'mixed use development providing town centre uses at ground floor level, including a replacement market, with residential use above'. Paragraph 5.35 states that the site is seen as suitable for such a development because of its prominent location at the heart of the District Centre, and above the station. The site requirements and guidelines include: the re-provision of the existing market on-site, a temporary market during construction, a range of small and affordable market units suitable for independent traders, a high-quality public realm, and a design befitting an important arrival point for Tottenham.

Supplementary Guidance and other Non-Statutory Policies

*Development Brief, January 2004*⁵⁰

59. In January 2004, the Council adopted the Wards Corner/Seven Sisters Underground Development Brief, following public consultation. At that time, regeneration in this part of Tottenham was being led by a partnership between the Council and other organisations including the Bridge Trust, under the then Government's 'New Deal for Communities' scheme. The area was seen as needing regeneration because of the high levels of dereliction, social deprivation, fear of crime, and poor quality services. The purpose of the Brief was to stimulate new investment and development.

60. The Brief related to the present Order lands, and the Apex House site, and also another parade of shops in Seven Sisters Road, connecting with the Overground station. Of these, the Wards block was seen as the first priority. The aim was to create a landmark development that would act as a high quality gateway to Seven Sisters, providing mixed uses and safer access to the station.

*Haringey Unitary Development Plan (HUDP), 2006*⁵¹

61. The HUDP was adopted in July 2006. The Wards Corner site was identified in paragraph 6.27 and Schedule 1, as a site for comprehensive mixed use redevelopment, in accordance with the 2004 Brief. As noted above, the HUDP has now been superseded by the HSPA and the TAAP.

*'A Plan for Tottenham', 2012*⁵²

62. The document 'A Plan for Tottenham' was produced jointly by Haringey Council and the Mayor of London, in partnership with the Tottenham Taskforce, a special body set up in 2011 in the aftermath of the London riots. The document was intended as a vision for large-scale community regeneration and transformation of the physical environment throughout the Tottenham area.

63. Tottenham Green and Seven Sisters is identified as a key area for place-making, with Seven Sisters as a main gateway, and Tottenham Green as a civic and cultural hub. Wards Corner is identified as a Key Site.

⁵⁰ CD2/3: Wards Corner Development Brief, 2004

⁵¹ CD2/7: Haringey UDP, 2006

⁵² CD10/3: Plan for Tottenham, 2012

*The Upper Lee Valley Planning Framework, 2013*⁵³

64. The ULVPF was adopted by the Mayor of London in July 2013, as supplementary guidance for the Upper Lee Valley Opportunity Area. The document sets out a land use strategy for the OA as a whole, and development strategies for the four growth areas within it.
65. Seven Sisters and Tottenham Green, which includes the present Order site, is identified as part of the A10/A1010 'corridor of opportunity', where there is potential for development and redevelopment within the existing communities to support the major new developments planned in the growth areas. The regenerated Seven Sisters in particular is envisioned as a new southern gateway to Tottenham.
66. Within this, the Wards Corner site is identified as one where comprehensive redevelopment is required, to bring new homes and jobs, new retail space, public spaces and public realm improvements (p162).

*Tottenham Physical Development Framework (TPDF), 2014*⁵⁴

67. The TPDF was produced in March 2014 by Haringey Council and the Greater London Authority (GLA). The document is described as a conceptual spatial framework to guide opportunities for change in five key areas of Tottenham, over a 20-year timescale. It also states that it is intended to help trigger public and private sector investment, and to act as a strategic foundation for the development of further strategies and implementation plans.
68. Five areas are identified as Areas of Change. One of these is Tottenham Green and Seven Sisters, where the plan seeks to concentrate retail development at the defined District Centre, create a gateway and sense of destination, reinforce the role of the High Road, enhance the public realm, and deliver 700 new homes.
69. The 'Seven Sisters Regeneration Wards Corner Redevelopment' is listed as an on-going initiative (p.51). Amongst the short-to-medium term priorities illustrated on Figure 4.1.4, the site is identified with the caption 'Deliver development to create better frontages'. Further details relating to the development are set out in the Action Plan (pp 51-62).
70. The TPDF was accompanied by a renewed 'vision' document, the *Tottenham Strategic Regeneration Framework* (the TSRF)⁵⁵, and a report on the comprehensive public consultation and community engagement exercise that preceded that exercise, '*Tottenham's Future*'⁵⁶, both also published in March 2014.

Land Assembly

71. At the date when the Order was made, in September 2016, the freehold interests in 12 out of the 28 plots comprising the Order lands had already been acquired by Grainger Plc by private treaty (Plots 1, 3, 6, 8, 10, 16-19, 21, 24 and 27 on the Order Map). A further 4 freehold interests were owned by the Council (Plots

⁵³ CD2/6: ULVPF, July 2013

⁵⁴ CD10/4: Tottenham Physical Development Framework, 2014

⁵⁵ CD10/6: Tottenham Strategic Regeneration Framework, 2014

⁵⁶ CD10/5: Tottenham's Future', 2014

- 4, 11, 14 and 15). In two of these cases, residential leases remained to be acquired, and a number were subject to subsoil rights held by LUL⁵⁷.
72. By the time the Council's written evidence was prepared, the freeholds of a further four plots had been secured (Plots 2, 5, 20 and 26), although some of these were again subject to leases⁵⁸. And during the inquiry, the agreement between LUL and Grainger was concluded⁵⁹, which includes agreed terms for the disposal of their relevant interests, including the freehold interests in Plots 7 and 28.
73. Also at the inquiry, it was reported that terms had now been agreed on another four further freehold interests (Plots 9, 22, 23 and 25), and that solicitors had been instructed on all of these properties, although these had not yet reached exchange of contracts⁶⁰.
74. At the close of the inquiry therefore, 26 out of the 28 freeholds were either already held by Grainger or the Council, or were under contract, or proceeding towards exchange of contracts in the near future. Those where no agreement had been reached in respect of the freehold interest are Plots 12 and 13 on the Order Map (Nos 14 and 16 Suffield Road).
75. Although a number of the properties are also subject to leases or tenancies of various kinds, it appears that the majority of these are of a short-term nature, which would allow vacant possession to be obtained in a reasonable time period, without depending on compulsory acquisition⁶¹. However, this is not so in all cases, and the acquisition of some of the subordinate interests is still seen as necessary. These include commercial and residential leases, primarily relating to parts of Plots 2, 5, 6, 23 and 26. At the close of the inquiry, terms for these interests had not been agreed.

Alternative Community-led Scheme

76. An alternative scheme for part of the Order lands is promoted by the Wards Corner Community Coalition (WCCC), an umbrella group that aims to bring together local residents, business owners, traders and other local organisations.
77. The WCCC scheme proposes to retain and restore the Wards Corner building and the remainder of the terrace comprising the former Wards store (Nos 227- 249 High Road)⁶². The scheme would retain the existing Seven Sisters Market, and extend it to include the first floor. The second floor would be re-created to form business incubation units. The Corner Building would become a restaurant on two floors, with a roof terrace at first floor level, and space for community uses above. The exterior of the building would be restored to replace lost features including chimneys, dormers, bay windows and shopfronts. The scheme is described more fully in the Design and Access Statement (DAS)⁶³ that accompanied the application, and in the Officers' Report⁶⁴.

⁵⁷ CD6/3: Statement of Reasons – paras 5.3, 10.3, 10.4, 10.5 and 10.8

⁵⁸ APP/6/1: Mr Walker's proof, paras 6.23 – 6.78

⁵⁹ OBJ/003/7W and OBJ/004/1W: LUL withdrawal letters

⁶⁰ Mr Walker's oral evidence

⁶¹ APP/6/1: Mr Walker's proof (paras 6.23 – 6.78), and oral evidence

⁶² CDs 9/3 – 9/14: WCCC scheme approved plans

⁶³ CD9/15: WCCC scheme DAS

⁶⁴ CD9/1: WCCC scheme – officers' report

78. Planning permission for the WCCC scheme was granted in April 2014⁶⁵. However, the scheme is not otherwise supported by the Council, and forms no part of their case for the present Order. The WCCC permission expired in April 2017.

THE CASE FOR THE ACQUIRING AUTHORITY

The need for regeneration in Tottenham

79. The Council's case starts from the premise that the eastern part of Haringey Borough, centred on Tottenham, suffers some of the highest levels of deprivation and social disadvantage in England⁶⁶.

80. In Tottenham Green ward, where the Order site is located, and in several adjoining wards, incomes, skills, economic activity and educational attainment levels are all low. The quality of housing, jobs and services is poor. Unemployment and benefit dependency are high. On all the available indices of health and disability, the area ranks among the poorest in London. Life expectancy is in the lowest 5% of all London wards.

81. By London standards, housing costs are low, but so is the quality of the accommodation. Nearly 40% of housing is in social tenures, and of the remainder, an increasing proportion is in houses of multiple occupation, with problems of disrepair, overcrowding, and poor safety standards. The area attracts a transient population, and community cohesion has become weakened. The population is ethnically diverse, but socially it is not well balanced.

82. Local town centres are in decline, and the physical environment is deteriorating. Crime and anti-social behaviour are seen as significant problems. The riots that occurred in many cities in 2011 started in Tottenham. The subsequent Citizens' Inquiry and Mayor's Independent Panel reports⁶⁷ identified the causes as poverty, powerlessness, a breakdown in community relationships, and the area's adverse reputation.

83. Together, it is argued that all these inter-linked problems and issues reduce the life chances, living standards and quality of life of Tottenham residents. The Council is looking to harness both physical and social regeneration to reverse the spiral of decline.

The Council's overall regeneration aims and programme

84. The Council has therefore embarked upon an ambitious programme of large-scale regeneration and redevelopment throughout the Tottenham area⁶⁸. Although the Council's regeneration plans began before 2011, since then their efforts have intensified, and in recent years, the Council has established a comprehensive regeneration programme, in partnership with the London Mayor and a wide range of other public and private sector partners and stakeholders.

85. The regeneration plans have been taken forward through the Plan for Tottenham, the ULVPF, the TPDF and the TSRF (and its accompanying Delivery Plan⁶⁹), to the

⁶⁵ CD9/2: WCCC scheme - planning permission

⁶⁶ APP/1/1: Ms Garner's proof - Section 3

⁶⁷ CDs 10/1 and 10/2: Citizens' Inquiry and Mayor's Independent Panel reports

⁶⁸ APP/1/1: Ms Garner's proof - Section 4; and APP/3/1: Ms Johnson's proof - Section 5

⁶⁹ CD10/7: TSRF Delivery Plan

TAAP, building on community engagement and support at each stage. These have led to a number of related initiatives, with a £27m funding package being directed to the new Tottenham Hotspur stadium development and the High Road West masterplan, £2.84m to the Growth on the High Road/Town Centres programme, £3m to the Tottenham Opportunity Investment Fund, £4.5m to the Employment and Skills Programme, and £3m to a new Enterprise Centre. In addition, TfL are investing £14m in upgrading White Hart Lane Station.

86. In 2017, the Council has formed the Haringey Development Vehicle, with Lendlease as its strategic development partner, to secure a £2bn investment in providing 5,000 new homes in the Borough, and has entered a joint venture partnership with Argent Related for mixed use development at Tottenham Hale. The Council has also launched the Tottenham Housing Zone, which has won £100m of backing from the London Mayor to deliver new homes, and the Tottenham Charter, which encourages stakeholder organisations to commit to pledges that will benefit the area socially or economically.
87. The Council's regeneration strategy is focussed on building confidence and uplifting the area, through a combination of new development, physical infrastructure and social programmes, to improve social, economic and environmental conditions, and secure a sustainable future for existing and future residents. Ultimately, the Council's aim is for Tottenham's regeneration to bring more and better quality housing, more and better-paid employment, and modern leisure facilities, together with an improved public realm and general environment. A key element in the latter is to introduce higher-quality comparison shopping to serve a more affluent customer base.
88. As a result of these initiatives, major developments are under way at Tottenham Hale and around the new stadium, and others are planned, including schemes for High Road West, Bruce Grove and Northumberland Park. The intention is for these major developments in the Borough's growth areas to act as catalysts for self-sustaining regeneration in neighbouring areas, such as Seven Sisters, to establish linkages and spread the benefits to existing communities.

The role of the Wards Corner scheme

89. Development at Seven Sisters, on the Wards Corner and Apex House sites, is regarded as the next step in this process⁷⁰. Seven Sisters is a major transport node, with fast links to Central London and elsewhere. As such, the location is seen as an important southern gateway to Tottenham, with outstanding potential for both housing and commercial development⁷¹.
90. But equally the area has a number of negative factors, which have prevented that potential from being realised. These negative factors include a poor physical environment and public realm, poor quality building stock, a concentration on lower-end retailing and services, a lack of choice, and a generally poor image. A concerted effort is therefore needed to overcome these obstacles.
91. The existing shops serve only a very local clientele, and the Market is hampered by its outworn building and lack of public visibility. Although some Market

⁷⁰ APP/1/1: Ms Garner's proof – paras 5.1, 5.2, 5.9 – 5.10, and 5.35- 5.37

⁷¹ APP/3/1: Ms Johnson's proof – paras 4.4 – 4.12

customers travel from further afield, nevertheless the Market's general appeal is limited by the shortcomings of the existing buildings, and of the surrounding environment. The area as a whole is not regarded as creating either an attractive destination or a sense of arrival.

92. The Apex house development will begin to change perceptions of the area, but Wards Corner has even greater potential, because of its location directly above the tube station, and at the district centre's natural focus. Redevelopment of the Wards site therefore has the potential to transform the area as a whole. As such, the development is seen as the key to the regeneration of this part of Tottenham.

Benefits to the well-being of the area

93. The Council contends that the proposed redevelopment scheme at Wards Corner will benefit the area's well-being, economically, socially and environmentally. It would thus contribute to all of the three dimensions of sustainable development.
94. In terms of economic benefits, it is argued that the scheme would act as a catalyst for the local economy, by bringing an injection of new investment, higher-order retail activity, an improved Seven Sisters Market, more and higher-quality jobs, and a more affluent resident population with more spending power⁷². The overall investment in terms of construction cost alone is estimated at around £60m⁷³, with a further £1.1m of expenditure by new residents on furniture and fittings. During the construction phase, the development is forecast to provide 190 full-time equivalent (FTE) direct jobs, equating to 575 person-years of employment. Subsequently there would be a net increase of 95 FTE direct jobs, delivering a gross value added (GVA) of £4.8m per year. Indirectly, the scheme would also support 45 spin-off jobs in local services, and a further 80 in the wider region. To this would be added around £5.1m of annual household expenditure, including £2m spent in the immediate local area, generating a further 15 new operational jobs in local shops and services. The S.106 agreement also contains commitments to employing local labour and providing training opportunities.
95. In social terms, as well as new jobs, the development would deliver new housing, a new heart for the district centre, and a new focus for the local community⁷⁴. The residential element would provide 196 new dwellings in a highly sustainable location, with a balanced mix of sizes, and a range of tenures including owner-occupied and private renting. As such, the scheme would improve the quality of the area's housing stock and broaden its social balance. There would also be the possibility of a contribution to affordable housing if the scheme achieved sufficient profitability, in accordance with the S.106 Deed of Variation. The new market, and measures to retain the existing traders, would secure a sustainable future for the Latin American community. The updating of the district centre's retail offer, and the upgrading of the public realm with a new public square, would strengthen the role of the centre in binding together the whole of the local community, with all of its various diverse ethnic and social groups. The opportunity would also be taken to design out crime, enhancing safety for all residents and users of the area.

⁷² Ms Garner's proof, paras 5.5 and 5.8 - 5.15; and Ms Johnson's proof, paras 8.53 - 8.69

⁷³ Mr Fourn's Appendix 8 (APP/7/3)

⁷⁴ Ms Garner's proof, paras 5.6 and 5.16 - 5.24; and Ms Johnson's proof, paras 8.70 - 8.85

96. Environmentally, as well as enhancing the public realm, the existing outworn and run-down buildings would be replaced with an attractive and high-quality new development, upgrading the whole area's image and perception⁷⁵. Section 106 contributions would be available to enhance the streetscape, shop frontages, and signage throughout the whole area, increasing the district centre's vibrancy, footfall and environmental quality, and achieving a genuine sense of place and destination for the Seven Sisters area. In addition, the scheme would be designed to achieve state-of-the-art standards in terms of energy and water efficiency and user comfort. It would also make more efficient and more sustainable use of brownfield land in a highly accessible location, reducing reliance on car transport.

Accordance with relevant planning policies

97. The Wards Corner site has been identified for comprehensive mixed-use development in both statutory and non-statutory planning policies for many years. The Council's intention was originally signalled in the Development Brief in 2004. From 2006 when the HUDP was adopted, the proposal has formed part of development plan policy. That intention has been renewed and reinforced through the relevant site-specific and area-specific policies of the London Plan, the HSP and HSPA, the Plan for Tottenham, the ULVPF, the TPDF, and most recently in the adopted TAAP⁷⁶.
98. The scheme now proposed by Grainger and the Council would deliver new housing, new retailing, a renewed Seven Sisters market, and an enhanced public realm. It would also create a landmark development and a gateway to Tottenham, it would act as a retail destination in its own right, and would become a catalyst for further regeneration. In all these respects it would conform with both the strategic approach and the site-specific policy requirements for the site, as set out in the relevant planning policies and supplementary guidance.
99. In providing a net increase of 154 residential units, at a density of 825 habitable rooms per hectare⁷⁷, on a brownfield site in a PTAL 6A area, the development would accord with relevant NPPF, London Plan and HSPA policies for maximising housing delivery and the creation of mixed and balanced communities⁷⁸. Whilst there is no guarantee of any affordable housing, there is provision through the terms of the S.106 Variation for an affordable housing contribution dependent on the scheme's ultimate profitability. The Council is satisfied that this approach is justified in the light of the evidence as to viability⁷⁹, and that without this compromise, the scheme would be unlikely to go ahead⁸⁰. The relevant policies for affordable housing, including LPCA Policy 3.12 and HSPA Policy SP2, allow for viability to be taken into account. The Council also sees the provision of private housing as a particular priority, because of the need to improve the area's existing tenure balance, but in any event a high proportion of affordable rented tenure will be included in the Apex House development⁸¹.

⁷⁵ Ms Garner's proof, paras 5.7 and 5.25 – 5.34; and Ms Johnson's proof, paras 8.86 – 8.95

⁷⁶ Ms Johnson's proof (APP/3/1) – paras 8.5 – 8.12

⁷⁷ Ms Johnson's proof – para 6.1(d)

⁷⁸ Ms Johnson's proof – paras 8.13 – 8.18

⁷⁹ CD 4/31 and CD 5/9: viability appraisals by DVS; and Mr Fourt's evidence, Docs APP/7/1 and /3

⁸⁰ Ms Johnson's proof – paras 10.9 – 10.11

⁸¹ Ms Johnson's proof – para 5.32

100. The provision of 3,693 sq m of new, higher-quality retail space in an under-performing district centre, is seen as according with the aims of relevant London Plan, HSPA and national policies with regard to promoting the vitality and viability of existing centres, and fostering economic growth generally⁸². The re-provision of the Seven Sisters Market is likewise seen as an appropriate response to London Plan Policy 4.8, which seeks to ensure support for all London's markets.
101. The scheme is also argued to be compliant with the relevant development plan and national policies relating to a range of other general matters, including design, the public realm, public safety, built heritage, sustainable transport, and amenity space⁸³.

The Seven Sisters Market

102. In the Council's view, although the Seven Sisters Market is unique in many ways, and is an asset to the Borough, in its existing form it suffers from serious shortcomings⁸⁴. The condition of the building is poor, the layout is cramped, and the entrances lack public visibility. Internally, alterations and adaptations have been carried out by tenants over many years in an incremental and uncontrolled manner, including the creation of a warren-like assortment of individual mezzanine additions. Allied to these are many unregulated alterations to the electrical wiring and lighting systems. Few if any of these works would meet Building Regulations standards or comply with health and safety legislation. The building is therefore a danger to its users, and cannot continue in its present format without substantial renovations and alterations.
103. A cost estimate prepared by chartered building surveyors CBRE⁸⁵, shows that the cost of the minimum works necessary to make the Market safe, weathertight and legally compliant, in order to enable it to continue trading for a further 10-15 years, would be in excess of £1.2m⁸⁶. This excludes any works to the Corner Building or the upper floors above the market itself, which the report suggests would require a further sum running into hundreds of thousands of pounds. It also excludes the costs of temporary closure and removal of the existing tenants' fixtures and fittings to allow the works to take place. The terms on which the market currently operates, with relatively low operating margins and no certainty of future profits, makes it unlikely that any owner or operator would be willing to invest the necessary funds to keep it going for the medium or long term⁸⁷.
104. The Order scheme would provide a modern, clean-looking, spacious new market hall, with a larger sales area (and provision for future expansion), much improved circulation space, and good arrangements for servicing. It would have a much improved public presence, with more units fronting onto the High Road, more visible and more accessible entrances, with wide glazed

⁸² Ms Johnson's proof – paras 8.19 – 8.24

⁸³ Ms Johnson's proof – paras 8.25 – 8.52

⁸⁴ Mr Saunders' proof (APP/8/1) paras 3.4 – 3.21, 3.35 -3. 47, and 4.29 – 4.34; and Mr Saunders' Appendices (APP/8/2) - Appendix 1, photographs

⁸⁵ Mr Saunders' Appendix 2: CBRE repair costs report

⁸⁶ Mr Saunders' proof, paras 4.29 – 4.34

⁸⁷ Mr Saunders' proof, paras 4.18 – 4.23

doors that can be opened right back in better weather. As such, the new market would have much greater attraction, and much improved trading prospects. The Order scheme offers the best, most comprehensive and safest route to achieve this aim⁸⁸.

105. The S.106 agreement, as amended by the deed of variation, provides for the market's temporary relocation during construction, in a location as close as possible to the existing, and this minimises the risk of losing regular customers during that period. It ensures that both the temporary and new permanent market accommodation would be of a suitable size and standard⁸⁹.
106. Traders would be guaranteed the right to transfer to the temporary and new markets and continue trading, on favourable terms⁹⁰. Those terms include a rent-free period, a discounted period, a fixed-rent period, and a cap on any increases for a further period beyond that. In total, traders would benefit from these favourable terms for around 5 years, giving them sufficient certainty to be able to plan their businesses for some time ahead⁹¹. In addition, traders would be fully compensated for their relocation expenses⁹², utilising a fund of £284,000 made available by the London Mayor for this purpose⁹³. Alternatively, traders not wishing to transfer would receive a release sum⁹⁴. Traders would also have 6 months' notice of the closure of the existing and temporary markets, and 3 months to decide their response⁹⁵. All traders, whether transferring or not, would receive advice and assistance from a Market Facilitator⁹⁶. Traders need only have been operating in the existing market for 3 months to qualify for all these benefits⁹⁷.
107. The rent levels and discounts have been designed to ensure that they will be affordable to existing traders, taking account of comparable rent levels in other local markets⁹⁸. Based on Mr Saunders' figures⁹⁹, it is argued that no existing trader is likely to face an increase of more than 33% over a 5-year period¹⁰⁰. In the longer term, it is argued that it will always be in the market operator's interest to keep rents affordable, and to set rent levels so as to retain existing traders, and the S.106 requires the operator to seek to attract and promote independent traders from the local area¹⁰¹.
108. In any event, the Council argues that rent levels at Seven Sisters Market would have to rise, irrespective of any redevelopment, because the repairs identified in the CBRE report would have to be carried out anyway, and these

⁸⁸ Mr Saunders' proof, paras 5.4 – 5.20, 5.134 – 5.144, 5.156- 5.175, 8.2, 8.4 and 8.17

⁸⁹ Mr Saunders' proof, paras 4.83 – 4.84, and 5.33 – 5.61

⁹⁰ Mr Saunders' proof, paras 4.88 – 4.100, Tables 1 and 2; and Mr Kiddle's proof (APP/4/1), para 7.19 - 7.24

⁹¹ Mr Saunders' proof, para 4.109

⁹² Mr Saunders' proof, paras 5.94 – 5.113

⁹³ Doc. APP/0/8: Mayoral direction relating to traders' relocation costs; and Ms Johnson's Appx 11

⁹⁴ Mr Saunders' proof, paras 5.89 – 5.93

⁹⁵ Mr Saunders' proof, paras 5.78 – 5.88 and 5.149 – 5.153

⁹⁶ Mr Saunders' proof, paras 4.85 and 5.21 – 5.32

⁹⁷ Mr Saunders' proof, paras 5.145 – 5.148

⁹⁸ Mr Saunders' proof, paras 4.46 – 4.61

⁹⁹ Mr Saunders' proof, paras 4.3 – 4.23; and Doc APP/8/5: Table of existing rents

¹⁰⁰ Mr Saunders' proof, para 4.99 and Appendix 6; and amended version at Doc APP/8/4

¹⁰¹ Mr Saunders' proof, paras 4.102 and 8.10

would need to be financed through market income. At that time, it is also likely that rents would become subject to the addition of VAT¹⁰².

109. In the context of all the above, it is emphasised that the market traders occupy their stalls only on short-term licences, terminable by the operator at 7 days' notice¹⁰³. Nothing in the traders' existing terms, or in anything else, prevents the existing rent levels from being increased, in line with market forces, regardless of the Order scheme¹⁰⁴.
110. In all the above respects, the Council contends that the S.106 agreement provides an unprecedented level of protection and support for market traders, and goes as far as is possible to guarantee a workable outcome for them, and a successful future for the market¹⁰⁵.

Design and the effects on Heritage Assets

111. The Seven Sisters and Page Green CA is architecturally diverse. It has changed over the years since its 18th and 19th century heyday, particularly with the dominating effect of the widening of the main road and introduction of modern street furniture. However, although these changes have often been visually detrimental, they are an important part of the area's history, and part of its present character. One of the CA's more notable features is the way that the street corners are often articulated with taller buildings, of more distinctive design, such as the listed former Bank (No 220 – 224). The buildings on the Order site, including the Corner Building, are too modest in scale to counter-balance the domination of the highway¹⁰⁶.
112. The main terrace fronting the High Road (Nos 227 – 249) has been adversely affected by the alterations carried out over the years, including the removal of chimneys, dormer windows, bay windows and other architectural detailing, and the introduction of new shopfronts. These changes have destroyed the terrace's composition and character. As such, it detracts from the character and appearance of the CA, and from the setting of the LB¹⁰⁷.
113. With regard to the Corner Building, although the building was once thought to be an early example of curtain walling, this is now known to be incorrect. The building has some interest for its cast-iron window frames, but the original single-pane plate-glass windows have since been replaced with subdivided and poorly detailed frames containing smaller panes. Something similar has occurred at No 1A/1B West Green Road, where the original windows have been replaced by advertising panels. These changes are reflected in the recently adopted CA Appraisal¹⁰⁸. As a result, although both these buildings are locally listed, their modest heritage value has been compromised, and their contribution to the significance of the CA and LB setting is no more than neutral. Their loss will therefore not harm the heritage assets¹⁰⁹.

¹⁰² Mr Saunders' proof, paras 4.24 – 4.28, 4.45, and 4.101; and Appendix 3

¹⁰³ Mr Saunders' proof, para 3.12

¹⁰⁴ Mr Saunders' proof, paras 4.18 – 4.23 and 8.15

¹⁰⁵ Mr Saunders' proof (APP/8/1), paras 8.15 and 8.21

¹⁰⁶ Mr Lewis' proof (APP/5/1), paras 8.7.1 – 8.7.12

¹⁰⁷ Mr Lewis' proof, paras 8.9.1 – 8.10.13

¹⁰⁸ CD 2/13A: The CA Appraisal and Management Plan, June 2017 – paras 1.5.7 – 1.5.10 and 1.5.26

¹⁰⁹ Mr Lewis's proof, paras 8.11.1 – 8.12.11

114. The scheme now proposed will relate well to its surroundings, including the new development under way at the Apex House site, and will respect the diversity of the existing buildings. Its design, and especially the curved glazed front elevation, will properly reflect its function as an important and accessible community facility. Its scale will help to counter-balance the domination of the highway. The development will therefore enhance the CA and LB setting, and better reveal their significance¹¹⁰.
115. In addition, the Council argues that the design would represent a contemporary re-interpretation of London's traditional street architecture, in attractive and lasting materials with an emphasis on sustainability and durability. The development would transform Seven Sisters from a place to hurry through, into a place to linger and relax, and create a well-mannered setting for civic life. The design has been endorsed by the deputy Chair of CABE and the Design Advisor to the Tottenham Task Force¹¹¹.

Viability and deliverability

116. The evidence of Mr Fourt contains an updated viability appraisal, on behalf of Grainger and the Council, carried out in June 2017¹¹². This shows that the overall cost of the Order scheme is expected to be around £101.6m. Against this figure, the development is projected to achieve a profit of 16.13%, thus more than meeting the 15% benchmark level which is required by the development agreement. The proposed scheme is therefore financially viable.
117. Mr Fourt's evidence also includes a sensitivity analysis which tests this conclusion against a range of alternative assumptions¹¹³. This shows that in most scenarios the scheme's profitability can be maintained or improved. The appraisal is therefore regarded as robust. Mr Fourt's assessment has been subject to a review by the District Valuer, and was found to be sound¹¹⁴.
118. Grainger has the resources to be able to carry out the Order scheme, and has experience in similar scale developments¹¹⁵. The Company has been involved in the scheme since 2004, and since then has already invested around £10m¹¹⁶ in acquiring many of the properties and interests within the Order lands by agreement. It has also committed substantial resources of time and money in pursuing the two major planning applications, and contesting the various legal challenges, over the 13-year period¹¹⁷. Grainger has also taken the lead role as the Council's partner in the Apex House development, and sees the two schemes as complementary to each other.
119. Advance marketing has indicated strong interest in the scheme from national retailers¹¹⁸. Advice also suggests a high level of likely demand for the residential units, aided by the very good existing public transport links and the future prospect of Crossrail¹¹⁹.

¹¹⁰ Mr Lewis' proof, paras 11.1.1 – 11.6.7

¹¹¹ Mr Beharrell's proof (APP/2/1), and Appendix B - statement of support by Mr Paul Finch

¹¹² Mr Fourt's proof (APP/7/1), paras 10.1 -10.3; and Appendices (APP/7/3): Appx 8, viability appraisal

¹¹³ Mr Fourt's proof, paras 10.4 – 10.9

¹¹⁴ CD 5/9: Viability Review report by DVS, June 2017; and Ms Johnson's Appx 13

¹¹⁵ Mr Kiddle's proof (APP/4/1), Chapters 2 and 4, and Appendix (APP/4/2), Appx 2

¹¹⁶ Mr Kiddle in oral evidence

¹¹⁷ Mr Kiddle's proof, Chapter 3

¹¹⁸ Mr Kiddle's proof, paras 5.1 – 5.6, and Appendix 3

¹¹⁹ Mr Kiddle's proof, paras 5.7 – 5.13

120. The operator of the existing market, Market Asset Management (Seven Sisters) Ltd (MAMSSL), has expressed interest in taking on the role of market operator in both the new temporary and permanent markets, and heads of terms for the respective market leases have been provisionally agreed¹²⁰. A Market Facilitator has already been appointed, Mr Jonathan Owen, who is a director of MAMSSL and its sister company Quarterbridge¹²¹. Grainger has also invested considerable time and resources in engaging with the market traders, both collectively through a Steering Group¹²², and individually in one-to-one meetings. These processes accord with the Community Engagement Strategy which was agreed with the Council in February 2016. Grainger has entered into these commitments with the intention of making the new Seven Sisters Market a success, both for the Company and for the traders¹²³.
121. All of the conditions contained in the development agreement are now either already satisfied, or have been shown to be clearly capable of being met. The only outstanding matter is the site assembly condition, which will be met if the Order is confirmed¹²⁴.

Engagement and consultation

122. Since 2004, the Council and Grainger have engaged with the local community and stakeholders on an almost continuous basis on matters relevant to the redevelopment of the Order site. These include the statutory development plan consultation processes relating to the HUDP, HSPA and TAAP; exhibitions and other publicity relating to the Development Brief, and the TPDF and TSRF; pre- and post-application community engagement relating to the 2008 and 2012 planning applications; and a variety of formal and informal consultation procedures, public meetings, 'drop-in' events, newsletters, websites, surveys and information-gathering exercises relating to the Order itself. A detailed account of all these measures is set out in full in the evidence¹²⁵.
123. Further commentary on this sequence of events is contained in the Council's Statement of Case and Ms Johnson's proof¹²⁶. The Council considers that everything possible has been done to ensure that those affected, and other interested persons, have been made aware of the Order, and kept informed about the proposed scheme, and that all the views expressed have been taken into account.

The need to use compulsory acquisition powers

124. In order for the Wards Corner redevelopment to be implemented as proposed, it will be necessary for the whole of the Order lands to be brought under the control of either Grainger or the Council. Although the majority of the properties and land parcels have now either been acquired, or are progressing towards an acquisition on agreed terms, there remain two freeholds and five

¹²⁰ Mr Kiddle's proof, para 7.23(a) and Appendix 6

¹²¹ Mr Kiddle's oral evidence

¹²² Ms Johnson's Appendix 1 (APP/3/2): Steering Group minutes

¹²³ Mr Kiddle's proof (APP/4/1), paras 7.4 – 7.14; and CD5/5, Community Engagement Strategy

¹²⁴ Mr Kiddle's proof, Chapter 6

¹²⁵ Ms Johnson's Appendix 2 (APP/3/2): Chronology of Local Engagement

¹²⁶ Council's S.O.C., paras 9.1 – 9.4; and Ms Johnson's proof, paras 10.28 – 10.32

leasehold interests where it appears that terms are unlikely to be agreed¹²⁷. This is despite the diligent and sympathetic efforts of the Council, Grainger, and their agents in seeking to reach acceptable agreements with all parties¹²⁸. The Council therefore remains of the view that there is no alternative to the use of compulsory acquisition powers.

125. With regard to the alternative scheme promoted by WCCC, that scheme would not achieve the comprehensive regeneration of the whole site. Consequently in the Council's view, it would fail to deliver the same regeneration and heritage benefits as the Order scheme, and would fail to fulfil the key aims of the relevant development plan policies for the site¹²⁹. The Council also contends that the WCCC scheme is not financially viable¹³⁰, is not supported by the majority land owners, relies on a planning permission which has expired, and would not ensure the future of the Market or the traders¹³¹. The Council therefore argues that there is no credible alternative to the Grainger scheme.

Human rights, equality and children

126. Mindful of the Court of Appeal's judgement in 2010, the Council considers that in its handling of the subsequent planning permission and Order, it has fully discharged its duties in respect of human rights and equality.
127. In considering planning application HGY/2012/0915, in June 2012, the Council had before it an Equality Impact Assessment (EqIA) report by consultants URS Scott Wilson, dated June 2012¹³². This report followed two earlier EqIAs¹³³, relating to the previous planning application. The 2012 EqIA identified a number of actual or potential impacts on protected groups, both positive and negative. In coming to these conclusions, the EqIA drew on the results of the Business Survey¹³⁴, which was a survey of local retail and market businesses, carried out for this purpose in 2012. Where negative impacts were identified, the EqIA report also considered the scope for mitigation, through conditions and obligations. The officers' report to the Planning Sub-Committee, in recommending that planning permission be granted, drew particular attention to the EqIA¹³⁵, so that all relevant impacts were fully taken into account. The Sub-Committee also received an oral presentation from one of the EqIA's authors¹³⁶.
128. In July 2014, when the Council's cabinet considered the principle of taking compulsory purchase action, the officers' report again drew attention to the possible issues relating to equalities and community cohesion, and identified the possible need for a further EqIA before any final decision was taken¹³⁷.

¹²⁷ Paragraphs 71-75 above

¹²⁸ Mr Walker's evidence; and Ms Johnson's proof, Chapter 9

¹²⁹ Ms Johnson's proof, paras 8.97 – 107, 10.24 – 10.25, and 10.21 – 10.23; and Ms Garner's proof, para 6.4

¹³⁰ Mr Fourt's Chapter 11 and Appendix 9

¹³¹ Mr Saunders' proof, paras 7.15 – 7.24

¹³² CD 4/2 – Appendix 7: EqIA, June 2012

¹³³ CDs 4/29 and 4/30: EqIAs dated December 2010 and June 2011

¹³⁴ CDs 11/3 – 11/5: Haringey Business Survey

¹³⁵ CD 4/2: Officers' report to Planning Sub-Committee, 25 June 2012 (Section 10)

¹³⁶ CD4/2A: Sub Committee minutes of 25 June 2012

¹³⁷ CD 5/2: Officers' report to cabinet, 15 July 2014 (Section 8)

129. When the cabinet's final decision to go ahead with compulsory purchase was taken, in November 2015, members had before them a new EqIA, prepared by consultants AECOM, dated October 2015¹³⁸. The EqIA again identified the potential for both positive and negative equality impacts, and concluded that the negative effects could be avoided or minimised by the mitigation measures in the S.106 agreement. This was prior to any consideration of a Deed of Variation. The report also concluded that the residual negative impacts would be outweighed by the development's positive benefits, and would thus not amount to illegal discrimination. The EqIA was drawn to the attention of members in the officers' report¹³⁹.
130. In September 2016 when the Order was made, Council members had before them all of the above reports, and also Grainger's Community Engagement Strategy dated February 2016¹⁴⁰, which was required by the S.106 agreement. The Strategy recommends various activities to be taken, which are proposed to help identify issues affecting existing occupiers, including those in minority communities or with other protected characteristics.
131. For the present inquiry, the Council and Grainger's have also prepared a Diversity Monitoring Baseline Study, dated March 2017¹⁴¹, and also a further updated EqIA report by AECOM, dated June 2017¹⁴². The Baseline Study gathers information to enable equality impacts to be monitored. The updated EqIA makes recommendations, and concludes that these measures, together with timely execution of the CPO process, will help to minimise the risk of significant inequality impacts.
132. The Council therefore contends that, throughout the process, proper regard has been paid to the Council's duty of equality, and all other matters of human rights and the best interests of children¹⁴³. In this process, the right balance has been struck between the interference with private rights and the benefits to the public good, and where any interference with rights has been necessary, this has been proportionate and justified.

Other submissions supporting the Council

133. Ms Tina Dickson¹⁴⁴, a local resident, appeared at the inquiry to say that she was in favour of the removal of the Seven Sisters Market in its current form. She felt that the present market was an eyesore, and not representative of the local community. The environment that it created was felt to be intimidating and unsafe to local residents. She looked forward to its replacement with new and improved retail facilities and housing. Ms Dickson produced a petition, signed by 26 local residents who agreed with her point of view. She also produced 9 letters from local residents, again all broadly in support.

¹³⁸ CD 5/1: EqIA, Oct 2015

¹³⁹ CD 5/3: officers' report to cabinet, 10 November 2015 (paras 11.16 – 11.22)

¹⁴⁰ CD 5/5: Community Engagement Strategy, Feb 2016

¹⁴¹ CD 5/6: Diversity Baseline Study, March 2017

¹⁴² CD 5/4: EqIA, June 2017

¹⁴³ APP/3/1: Ms Johnson's proof, paras 108 - 137

¹⁴⁴ Representation No 227 and SUP/4 (Ms Dickson)

134. Letters of support were also received from Lee Valley Estates¹⁴⁵ and Tottenham Hotspur Football Club¹⁴⁶. Lee Valley Estates support the Order scheme because of the opportunity to lift the area out of economic decline, and dovetail with other nearby areas of regeneration. Tottenham Hotspur sees considerable benefits in the new investment and employment opportunities that the scheme would bring.

THE CASE FOR THE MARKET TRADERS' GROUP

Duly-made qualifying objections

Objection No.1: Ms Marta Hinestroza

Objection No.8: Mr Nicholas Amayo

Objection No.22: Ms Libia Victoria Alvarez Martinez

Objection No.25: Ms Theresa Bremah

Duly-made non-qualifying objections

Objection No.35: Ms Myfanwy Taylor

Objection No.36: Professor Michael Edwards

Other interested persons appearing at the inquiry

Submission No. 192: Ms Lita Kaguawajigashi

Submission No. 193: Mr Manuel Pelaez

Submission No. 194: Ms Martha Giraldo Sanchez

Submission No. 195: Mr Daniel Martinez

Submission No. 196: Ms Maria Osorio

Submission No. 197: Mr Fernando Esguerra

Submission No. 198: Mr Diego Alvarez

Submission No. 199: Miss Stephania Cano Alvarez

Submission No. 200: Mr Carlos Burgos

Submission No. 201: Mr Martin Ball

Submission No. 202: Ms Lucy Claridge

Submission No. 203: Prof. Alexandra Xanthaki

Other interested persons - written submissions

Submission No. 204: Mr Fabian Alberto Catano Cadavid

Submission No. 205: Mr Juan Alvarez

135. As set out above, the submissions made at the inquiry on behalf of the Market Traders' Group included oral submissions by six persons with duly-made objections, four of whom have qualifying interests as market licence-holders. The Group also presented oral and written evidence from 14 other interested persons who are not individually registered as objectors¹⁴⁷, comprising nine further market traders and five other witnesses¹⁴⁸. A further 21 other traders, who have not formally objected to the Order or made any other submissions, provided written confirmation of their support for the Group's case¹⁴⁹.

¹⁴⁵ Representations 228 and 229 : Lee Valley Estates

¹⁴⁶ Representation 230: Tottenham Hotspur FC

¹⁴⁷ Doc. GID/9, 'Inspector's List of Objections, Objectors and Others Making Representation to the Inquiry': representations Nos 192 – 198, 204 and 205

¹⁴⁸ Doc. GID/9 (as above)': representations Nos 199 - 203

¹⁴⁹ Doc. GID/9 (as above)': representations Nos 206 - 226

The role of the Seven Sisters Market

136. The traders argue that the Seven Sisters Market, and the other existing shops and businesses on the Order site, play an important role in the economic and social life of the South Tottenham area. This role has been under-recognised and seriously under-valued by the Council¹⁵⁰.
137. The site is home to over 60 small businesses and 150 jobs¹⁵¹. These businesses provide specialised goods, products and foodstuffs from South America, Africa, Asia and elsewhere, and related services, which are highly valued by the area's ethnically diverse population. The existing buildings also provide a pool of low-cost, flexible spaces, suitable for start-up businesses, new ideas and budding entrepreneurs.
138. It is contended that the market is not just a place for buying and selling. It is equally important as a place for local people to meet and socialise with others from similar backgrounds, and to practice their own cultures and speak their own languages. Many of the traders also take their children to the market while they are working there, and by playing with others in this environment, the children can absorb information about their history and culture. The ability to take their children to work in this way also enables parents to avoid the high costs of external childcare, which might otherwise prevent them from working. In this way the market supports family life and the area's social structure.
139. Many of the traders have come to Britain as refugees, after suffering political persecution, violence, intimidation, and other hardships in their own countries. Since arriving here, they have gravitated towards Seven Sisters as a place of safety, where they can mix with people from similar backgrounds and pursue their own traditions in peace. The traders have given the market the unofficial name Pueblito Paisa, after a particular village in the coffee-growing region of Columbia. They have also formed a non-profit company, Pueblito Paisa Ltd, to enable them to act collectively¹⁵².
140. The market is well known amongst the Latin American community throughout London and beyond, and attracts regular customers from a wide area. It is listed as a tourist attraction on many websites, and attracts large numbers of visitors. As such, it is an asset to the Borough¹⁵³.
141. Many traders also send money home to support their families who have remained in their homelands. As such, the market plays an important economic role beyond its local catchment area.
142. The traders accept the need for repairs and improvements, but not to the extent suggested by the Council. The CBRE report includes unnecessary items, and this distorts the Council's viability assessments.
143. The traders do not recognise the Council's characterisation of the area as derelict, declining, dangerous etc. To them it is home, and a far preferable one to those which they have left behind.

¹⁵⁰ OBJ/035/1: evidence of Myfanwy Taylor, paras 6 - 18

¹⁵¹ OBJ/035/1: evidence of Myfanwy Taylor, para 9

¹⁵² OBJ/MT/1/4: evidence of C Burgos, paras 1 - 8

¹⁵³ OBJ/MT0/3: Opening submissions, paras 34-35

144. Evidence from elsewhere in London and other cities shows that regeneration schemes often risk displacing the most deprived communities, who are supposed to benefit. Parallels can be drawn with other reported cases¹⁵⁴.

Traders' backgrounds and circumstances

145. Marta Hinestroza¹⁵⁵ [REDACTED]
[REDACTED]
[REDACTED]. [REDACTED]
[REDACTED] In 2006, she purchased a hairdressing and beauty salon business at Seven Sisters Market. [REDACTED]. On top of this, she took on half a dozen staff. At that time she did not know of the plans to demolish the market. In 2007 she found out and campaigned to stop it. Later she started an advice service to help and support traders and others in opposing the plans. In 2010 she started the 'Raices' group, based at the market, to encourage and promote Latin American cultural and leisure activities, for children, young people and adults. Subsequently this has developed into the 'Talentos' dance group, which performs internationally. The market is at the centre of these activities. Since 2007, Ms Hinestroza has campaigned to save the market, and has represented other traders on the Market Steering Group. But in her view the market management has allowed the building to become run down, and has sown dissension amongst traders, to weaken opposition and break their resistance. If rents were to be increased by 50%, Ms Hinestroza believes her business could not survive.

146. Libia Alvarez¹⁵⁶ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Ms Alvarez came to the Seven Sisters Market, as a trader, in 2000. [REDACTED]
[REDACTED] Outside school hours she used to bring her daughter to play at the market. Ms Alvarez took the lead in making the market into a place for the Latin American community. She now has several businesses there, in clothing, a beauty salon, and money transfer, employing staff in each. She has campaigned and fought for the market and the traders' rights for more than 10 years. [REDACTED]

147. Nicholas Amayo¹⁵⁷ worked at the market for the RIA money transfer business for eight years, and then took the opportunity to purchase it. This involved a large financial investment. The business enables traders to send money home to their families. As such, it is vital to them. The business also includes a bureau de change facility. Moving the market to Seven Sisters Road would hit this part of the business hard, because it depends on footfall. As a result, Mr Amayo believes he would find it difficult to survive either in the temporary

¹⁵⁴ OBJ/035/1: evidence of Myfanwy Taylor, paras 6 - 18

¹⁵⁵ OBJ/001/1 - 001/3: evidence and appendices of M Hinestroza

¹⁵⁶ OBJ/022/2: evidence of Libia Alvarez Martinez

¹⁵⁷ OBJ/008/1: evidence of N Amayo

location at Apex House, or in the new permanent location, since both would be outside the main retail pitch of the High Street.

148. Teresa Bremah¹⁵⁸ has been a trader at the market for 10 years, selling African fabrics. [REDACTED]. Her customers come from all over London and elsewhere. Through her income from her stall, she supports her family in the UK and at home.
149. Further personal accounts were presented at the inquiry by Martha Giraldo Sanchez, Daniel Martinez, Manuel Pelaez, Maria Osorio, Fernando Esguerra, Lita Kaguawajigashi, Diego Alvarez, and Stephania Cano Alvarez, and in the written statements of Juan Alvarez and Fabian Catano Cadavid. Together, these illustrate the hardships that many of the traders have overcome to make their homes in Britain, and the determination and entrepreneurship that they have shown to become economically self-sufficient¹⁵⁹.

The Order scheme's effects on the Market and Traders

150. In the traders' view, the rents or licence fees proposed in both the new temporary and permanent markets would be unaffordable¹⁶⁰. Based on the examples in Marta Hinestroza's evidence¹⁶¹, at present traders are paying between £32 and £55 per sq ft per annum (psf/pa), with no VAT. But in the new markets, as well as the higher fixed rents set by the S.106 Deed of Variation, VAT will also be added. So, in the temporary market, after the first 3 months, the rents payable would be £42 psf/pa for a mezzanine unit, £78 psf/pa for a zone B unit, £90 for zone A (the most common type), or £96 for a catering unit. In the new permanent facility, even during the discounted period, the range would be £54 - £67 psf/pa, and after 18 months this would rise to £78 - £96.
151. During the five years (or so) of the fixed rent scheme, for a trader moving from an existing internal unit to a new zone A unit, the average increase would be around 50% compared to what they are paying now¹⁶². For those currently paying less than the average, the increase would be even greater. The proposed rents would also be higher than all but one of the other Outer London markets cited by Mr Saunders¹⁶³. The traders believe their businesses could not survive these increased rent levels.
152. In addition, during this 5-year period, traders would have to contend with a series of changes in their rent levels, including at least two sudden large increases. This pattern would give traders no time to adjust. Furthermore, although the 30% discount period at the opening of the new permanent market would provide some relief, this would come too late, because after two years at the full fixed rate, in the temporary market, many traders would already have been forced out of business.

¹⁵⁸ CD 6/4.1 (original objections): Obj. 25 by T Bremah

¹⁵⁹ OBJ/MT7/2 and 7/3, M Giraldo Sanchez; OBJ/MT8/2, D Martinez; OBJ/MT10/2, M Pelaez; OBJ/MT11/2, M Osorio; OBJ/MT/12/2 and 12/3, F Esguerra; OBJ/MT/14/2, J Alvarez; OBJ/MT/15/2, D Alvarez; OBJ/MT/17/1 and 17/2, S Cano Alvarez; and OBJ/MT/18/2 and 18/3, F Catano

¹⁶⁰ OBJ/MT0/9: Closing submissions, paras 20 - 32

¹⁶¹ OBJ/001/4: M Hinestroza's table of existing rents

¹⁶² OBJ/MT0/9: Closing submissions, paras 23 (1) - (3)

¹⁶³ OBJ/MT0/9: Closing submissions, para 29 (5)

153. After the end of these 5 years, when the fixed rent scheme comes to an end, there would be nothing to stop rents being raised even higher¹⁶⁴. Indeed, this is seen as very likely to occur, because one of the main purposes of the development is to make the Seven Sisters area more desirable, and to attract new residents and shoppers who are more affluent. The market itself will also be housed in a brand new building. The gentrification of the market and the area is likely to generate increased competition for stalls, and the existing traders could be priced out. Although the S.106 scheme requires priority to be given to traders who are local and independent, this does not guarantee the market's existing traders the right to stay there, nor the continuation of its mainly Latin American character.
154. The traders accept that if the existing market were to continue, repairs would be needed, and rents would be likely to rise to some degree. But the scale of the repairs suggested in the CBRE report is unnecessary and unrealistic¹⁶⁵. If any renovation works were scaled down to the minimum necessary, there is no reason why the existing market could not be economically viable. The Council and Grainger have not explored this option. It is also possible that this could be done without needing to trigger the addition of VAT to the resulting rents.
155. In addition to higher rents and VAT, traders are also concerned about other possible new or increased costs, such as Business Rates.
156. Although, on the face of it, the S.106 appears to offer traders a unit of similar size to their existing one, this would be based on only the floor area specified in their licence agreement. It would thus ignore the additional space that most traders have created by adding mezzanine floors, or by encroachment onto the aisles and walkways¹⁶⁶. Traders would thus have much less space in the new markets, despite paying more for it. Without this extra space, many could not manage to operate their businesses at all. Some have sub-let their extra space, and will lose that part of their income. Others have invested considerable sums in making improvements of this kind, and on equipment and fittings, and face losing that investment without compensation. Although the mezzanine areas are unofficial, they were not challenged by the market's owner and operator at the time they were built, and the traders now have a right to consider them as a permanent part of their unit.
157. Neither the temporary nor the permanent new market location would be as favourable as the existing. The temporary site at Apex House is across a busy road, where there are no other shops. The market would be split between two floors and two separate buildings. None of the units there would open directly onto the street. When the market opens, construction works may still be in progress elsewhere on the site. Although the new permanent site is closer to the existing, it is less visible, and has less footfall. Also the pavement is narrower, so there is no scope for stalls to project beyond the face of the building as at present. Both locations would be further from the nearest cashpoint, and in neither would there be any parking for market customers.

¹⁶⁴ OBJ/MT0/9: Closing submissions, para 26

¹⁶⁵ OBJ/MT0/9: Closing submissions, paras 34 - 41

¹⁶⁶ OBJ/MT0/9: Closing submissions, para 25

158. In any event, the traders contend there is no guarantee that the new market will actually be provided at all¹⁶⁷. The 'market condition' in the agreement does not prevent Grainger from deliberately setting the terms for the market operator's lease at a prohibitive level. Grainger did not originally plan to include a new market at all, and only did so latterly with some reluctance, in response to the objections from the traders, WCCC and others. The building layout has hardly changed from the earlier scheme, and the market could be easily changed back to 6 additional retail units as originally proposed.
159. The traders therefore believe that the result of the Order scheme would be to destroy their businesses, and possibly to bring about the end of the market itself. In this respect the present case is similar to that of the market at Shepherds Bush, where an Inspector recommended a CPO be not confirmed, for reasons relating to the effects on existing traders. In that case, the SOS disagreed with the Inspector, but his decision was overturned in the court of Appeal¹⁶⁸.
160. As a fall-back position, and without prejudice, the traders propose a set of alternative rents and terms which would include effectively pegging their rents at the existing levels plus 2% per annum, for a period extending until 7.5 years after the opening of the new market. These terms are set out more fully in the traders' Closing Submissions¹⁶⁹.

The consequential effects on the Latin American Community

161. The traders fear that either the Market itself will not survive the redevelopment, or that if it does, many of their number will no longer be able to be part of it. Either way, they see the Order scheme leading to the destruction of their Latin American community.
162. In their eyes, the development would mean the loss of their businesses, their livelihoods, and their means of supporting their families both in the UK and elsewhere. It would also remove the very focus of their community life, resulting in the weakening of social ties and support networks, and the loss of the opportunity for members to practise their culture and preserve their heritage.
163. It is stated that 97% of the traders self-identify as 'Black Minority Ethnic' (BME)¹⁷⁰. Research also shows that people of Latin American descent are likely to have lower household incomes than the UK average, with 11% earning below the minimum wage¹⁷¹. The Order scheme would disproportionately affect members of this vulnerable, low-income, BME community compared to others¹⁷².
164. For them it would also create an obstacle to their ability to pursue their minority culture, which would not equally affect other members of the population. The detrimental effect on the Latin American community would

¹⁶⁷ OBJ/MT0/9: Closing submissions, para 31

¹⁶⁸ Doc. LEGAL/2(2), Tab 23: Horada and others v SoS [2016] EWCA Civ 169

¹⁶⁹ OBJ/MT0/9: Closing submissions, paras 42 -44

¹⁷⁰ OBJ/MT0/9: Closing submissions, paras 6 and 81

¹⁷¹ OBJ/MT6/1: Claridge/Xanthaki statement, para 32

¹⁷² OBJ/MT0/9: Closing submissions, para 140

therefore be greater than on any others. As such, it is argued that the Order would amount to indirect discrimination, following the principles in *DH & others v The Czech Republic* [2008, ELR 17]¹⁷³.

165. In addition it is stated that 70% of the traders are female¹⁷⁴, many of whom are heads of households, with an average age of 55. It is contended that this group in particular would be hardest hit, due to their likely difficulty in coping with the relocation process, or in starting again, or obtaining other employment. Consequently it is argued that the Order would have a discriminatory effect on women¹⁷⁵.
166. It is also argued that the children of the traders benefit from the market by using it as a place to play safely, socialise with their peers, develop social ties and learn about their culture and language. Their best interests would be served by allowing this use to continue. Consequently, proceeding with the Order scheme would be contrary to their best interests¹⁷⁶.

Heritage impact

167. The traders consider that the existing buildings on the High Road/Seven Sisters Road frontage make a strong contribution to the CA. Their value was properly reflected in the original CA appraisal report, although in the new one this has been deleted. In the traders' view, the demolition of these buildings would constitute substantial harm to the CA¹⁷⁷.
168. The existing buildings are seen as being capable of economic repair and restoration. If some buildings within the Order site need to be replaced, there is no reason why regeneration could not be undertaken in a more sensitive, piecemeal way, rather than as now proposed.
169. The design of the proposed new building is described as bland, sterile and characterless¹⁷⁸.

Lack of affordable housing

170. The Order scheme fails to provide for any on-site affordable housing. It also fails to guarantee any contribution to off-site provision¹⁷⁹. Grainger's own evidence shows a projected profit below the 20% threshold needed to trigger a financial contribution. In any event, there is no incentive for Grainger to achieve that threshold, because if they did, the required contribution would take 100% of the excess.
171. The private housing that is proposed would be out of the reach of local people, and would benefit only outsiders¹⁸⁰.

¹⁷³ OBJ/MT0/9: Closing submissions, para 140; and OBJ/MT6/1: Claridge/Xanthaki statement, para 53

¹⁷⁴ M Hinestroza - oral evidence

¹⁷⁵ OBJ/MT0/9: Closing submissions, paras 51 – 55, and 141

¹⁷⁶ OBJ/MT0/9: Closing submissions, paras 49 – 50, and 120 - 123

¹⁷⁷ OBJ/MT0/9: Closing submissions, paras 56 - 74

¹⁷⁸ OBJ/MT5/1: M Ball, para 17

¹⁷⁹ OBJ/MT0/9: Closing submissions, para 46

¹⁸⁰ OBJ/008/1: Statement of N Amayo, para 8

Lack of other regeneration benefits

172. Traders are sceptical that attracting more affluent residents to the area will bring any knock-on benefits. The site's easy accessibility to central London means that the development could become purely a dormitory community, with the new residents having no need to spend money in the local area, or to venture anywhere locally, beyond the development itself and the underground station. The new retail provision on the site would not be of a sufficient scale to attract shoppers from outside the area¹⁸¹.

Conflict with planning policies

173. It is argued that the failure to secure the future of the Seven Sisters Market, and of the existing traders, puts the Order scheme into conflict with LPCA Policy 4.8 and the site-specific provisions of the TAAP¹⁸². It is also suggested that the lack of affordable housing conflicts with LPCA Policies 3.8 and 3.12, which seek to ensure genuine housing choice with the maximum reasonable amount being affordable. The resultant impacts on the traders and their community would also fail to accord with LPCA and HSP aims in respect of social inclusion and diversity, including LPCA Policy 3.1 which seeks to ensure equal life chances for all. Consequently, the scheme would not amount to sustainable development.

174. In addition, the London Mayor's document 'A City for All Londoners'¹⁸³, which looks ahead to the next round of London Plan alterations, envisages a stronger focus on policies to support diversity, and also new policies to support small businesses and workspaces, and a more community-led approach to development¹⁸⁴. It is argued that this new approach signals a move away from large-scale, developer-led redevelopment schemes such as that proposed in the present Order.

The WCCC's alternative scheme

175. The traders contend that the alternative scheme promoted by the WCCC is a credible and viable proposal, and preferable to the Order scheme¹⁸⁵. The WCCC scheme would provide for the retention of the Market, in a renovated and extended market hall, and above would be a new area of flexible workspace for small businesses, start-ups and innovators¹⁸⁶. The juxtaposition of these elements would give the market traders the opportunity to benefit from business support services, co-working and collaboration, and specialist expertise.

176. The plan would retain 150 existing jobs, and directly create a further 150 new ones, not counting those arising during the construction process. This exceeds those expected in the Order scheme.

¹⁸¹ OBJ/MT0/9: Closing submissions, paras 47 - 48

¹⁸² OBJ/MT0/9: Closing submissions, paras 75-97; and OBJ/036/1: M Edwards, para 7; and OBJ/035/1: M Taylor, para 31

¹⁸³ CD 12/10: 'A City for All Londoners'

¹⁸⁴ OBJ/036/1: M Edwards, paras 8 -12

¹⁸⁵ OBJ/035/1: M Taylor's evidence, paras 19 - 28

¹⁸⁶ CD 9/3 - 9/14: WCCC plans

177. The scheme would retain the existing High Road buildings and restore their lost architectural features. It could be implemented in phases, avoiding the need for temporary relocation and the resultant costs and disruption. There would be no need for any below-ground works.
178. The scheme could be financed through a combination of investments by local entrepreneurs, community shares, crowdfunding, sponsorship and grants. One potential local investor, Mr Oscar Murillo, has already declared his willingness to become involved¹⁸⁷. The local community has a track record of raising money to fund planning and legal campaigns relating to the Wards site, and many would be willing to help finance a community-led development. Many examples exist of other community-led developments which have been realised in similar ways¹⁸⁸. If the Council were to back the scheme, this would open up access to further funding from other sources.
179. A community development vehicle already exists in the West Green Road & Seven Sisters Development Trust (the WGRSSDT). There would be no need for any complex site assembly or compulsory purchase. All that would be needed would be for TfL to grant a long lease on realistic terms.
180. The development would include space for community activities, and the community would also benefit in other ways, through the experience of participation and collaboration on the project.
181. Although the present WCCC scheme is only for the High Road and Wards Corner buildings, the design and access statement¹⁸⁹ shows how this could form part of a coordinated masterplan for the whole of the Seven Sisters area. The Grainger scheme is therefore not the only way of achieving the Council's underlying goal of regenerating the area.

Inadequate consultation and engagement

182. The Market Traders submit that the Council and Grainger have failed throughout to consult or engage with members of the Latin American community in a meaningful or effective way¹⁹⁰. As a mainly Spanish-speaking community, traders and their families faced particular difficulties in understanding the procedures and responding to the Order. The Council failed to show due consideration. Traders were not always included in communications, deadlines for comment were often short, information was sometimes incomplete, and translations were not always made available. Traders' spokespeople were prevented from speaking at a meeting¹⁹¹.
183. Although Grainger's set up a Steering Group to involve the traders, there was no proper procedure for representation and no accountability¹⁹². Minutes were signed off by the Company without any agreement from the other participants¹⁹³. Rather than being supported, traders felt harassed, and

¹⁸⁷ OBJ/MT0/4: Letter from Mr Oscar Murillo

¹⁸⁸ OBJ/035/1: M Taylor, paras 23, 24

¹⁸⁹ CD 9/15 and OBJ/035/2: WCCC design & access statement

¹⁹⁰ OBJ/MT6/1: Claridge/Xanthaki statement, paras 68-70

¹⁹¹ OBJ/MT1/4 and MT1/3: C Burgos, paras 19-23 and video; and OBJ/MT5/1: M Ball, paras 8-9; and M Hinestroza – oral evidence

¹⁹² D Martinez – oral evidence; and M Hinestroza – oral evidence

¹⁹³ M Hinestroza – oral evidence

complaints were swept aside. Traders see these failings as further undermining the legitimacy of the CPO process¹⁹⁴.

Human Rights

184. In relation to the European Convention on Human Rights (the ECHR)¹⁹⁵, the traders submit that the Order scheme would interfere with the rights conferred by Article 8 (private and family life), Article 1 of Protocol 1 (peaceful enjoyment of possessions), and Article 14 (freedom from discrimination)¹⁹⁶.
185. In relation to Article 8, it is argued that by virtue of the judgement in *Niemietz v Germany ECHR 13710/88*, the term 'private and family life' embraces the opportunity to develop personal relationships, and that this includes those formed through business activities. It is submitted that this includes social interactions at the Market, and thus Article 8 rights are engaged for all those who either carry out business there or who use the Market as a social and community centre¹⁹⁷.
186. In the case of Article 1, it is argued that the traders' right to possessions would be interfered with because of the loss of their businesses and livelihoods, without adequate compensation. Article 14 rights would be breached due to the indirect discrimination that would arise, because the effects of the scheme would fall on Latin Americans and women disproportionately¹⁹⁸.
187. In relation to all of these, it is contended that the Council's approach was flawed: the EqIAs were inadequate; the Council failed to properly consider their findings; no structured or proportionate balancing exercise was carried out; and no consideration was given to those who had no legal interest in the land. The Council also failed to consider the positive nature of the obligations on it to facilitate a minority way of life¹⁹⁹.

Equality duty

188. Under Section 149 of the Equality Act 2010, there is a duty to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations (the 'Public Sector Equality Duty' or PSED). The traders contend that the Council's handling of the Order procedures has failed to fulfil this duty²⁰⁰.
189. The Council's Statement of Reasons scarcely mentioned equality issues, and showed no evidence that members had ever considered them. The Statement of Case refers briefly to the S.148 duty, but still provides no evidence of any due consideration. Merely commissioning an EqIA is not evidence of having given the issues proper consideration. In any event, the 2017 EqIA was only prepared at a very late stage in the CPO process, and so clearly did not inform the Council's actions.

¹⁹⁴ OBJ/MT11/2: statement of M Osorio, paras 15-16; and OBJ/MT18/2: statement of F Catano, paras 10-15

¹⁹⁵ The ECHR was incorporated into UK law by the Human Rights Act 1998

¹⁹⁶ OBJ/MT0/9: Closing submissions, paras 124 - 147

¹⁹⁷ OBJ/MT0/9: Closing submissions, paras 131 - 133

¹⁹⁸ OBJ/MT0/9: Closing submissions, paras 137 - 141

¹⁹⁹ OBJ/MT0/9: Closing submissions, paras 124 - 129, and 142 -147

²⁰⁰ OBJ/MT0/9: Closing submissions, paras 98 - 106

190. The judgement in *Hotak v Southwark LBC [2015] UKSC 30*²⁰¹ makes clear that the duty must be exercised in substance, and with rigour and an open mind. The onus is on the Council to show that it has done so. In the present case, it is argued that the Council has produced no convincing evidence.

Best interests of children

191. Under Article 3 of the United Nations Convention on the Rights of the Child (UNCRC) 1989, the best interests of the children affected must be a primary consideration. The traders submit that the Council has failed in its duties to the children of the Latin American community²⁰².
192. Under relevant case law²⁰³, the Council had a duty to identify the children's best interests, fully investigate the Order's effects on them, and carry out a rigorous proportionality assessment. However it is argued that the treatment of children's interests in the EqIAs was wholly inadequate, and thus the Council's decisions based on that advice were flawed.
193. Four letters from children had been put before the Council, which highlighted the importance of the Market to them²⁰⁴, but these had been given little weight. The Council were wrong to assert that the children's interests were the same as those of their parents.
194. In the traders' view the best interests of the children could only be served by retaining the Market, to aid the development of their social ties, culture, community and language. The Order scheme would prevent this from happening.

Other instruments of international law

195. In addition, the traders also claim rights under various other instruments of international law²⁰⁵. These rights are said to be additional to, and distinct from, all other rights including those granted by domestic law.
196. In particular, Article 27 of the International Covenant on Civil and Political Rights (ICCPR) provides that persons belonging to ethnic, religious or linguistic minorities shall not be denied the right to enjoy their own culture, to profess and practise their own religion, or to use their own language.
197. Attention is also drawn to: the Charter of the United Nations (UN); the International Convention on the Elimination of all forms of Racial Discrimination (ICERD); the Framework Convention for the Protection of National Minorities (FCPNM); the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities; General Comment No 23 of the UN Human Rights Committee; General

²⁰¹ Doc. LEGAL/1, tab 8: Hotak case

²⁰² OBJ/MT0/9: Closing submissions, paras 107 - 123

²⁰³ *ZH (Tanzania) v SoS for the Home Department [2011] UKSC 4* (Doc. LEGAL 1/ Tab 9); *Zoumbas v SoS for the Home Dept [2013] UKSC 74* (Doc. LEGAL 1/ Tab 10); *Elizabeth Collins v SoS for Communities and Local Gov [2013] EWCA 1193*; and *Makhlouf v SoS for the Home Dept (N.I.) [2016] UKSC 59* (Doc. LEGAL 2(2)/ Tab 21)

²⁰⁴ Children's letters – appended to OBJ/030 by C Palaquibay and M Morera (in CD 6/4.1); and at Appendix C to Traders' SOC (CD7/ Tab 4)

²⁰⁵ OBJ/MT0/9: Closing submissions, paras 134, and 144 – 159; and OBJ/MT6/1: Claridge/Xanthaki, paras 9 -25 and 38 - 60

Recommendation No 32 of the UN Committee on the elimination of Racial Discrimination; and related judgements of the international courts.

198. Amongst other things, it is argued that the obligations imposed on national governments by means of international treaties, UN resolutions and the like, do not depend on being enacted in domestic legislation, but are directly binding on public bodies and decision makers. It is also submitted that, under the presumption of compatibility, domestic law must be construed in such a way as to support pre-existing international commitments, such as the ICCPR²⁰⁶.
199. It is further argued that the obligations and duties under the ICCPR, to combat the disadvantages faced by minorities, are positive as well as negative. This means that the Council must take positive action to protect the Latin American community²⁰⁷. And in the balancing exercise, their rights and interests must be given greater weight than those of the general population, because of their greater vulnerability. This approach is said to be mandatory rather than discretionary²⁰⁸.
200. In the traders' submission, it follows in the present case that the violation of the Latin American community's rights, in respect of their culture, and with regard to effective participation and consultation, cannot be overridden simply by reference to the Order's scheme's other public benefits²⁰⁹.
201. The traders also draw attention to the letter of 21 July 2017 from the UN Special Rapporteurs, and a related press release²¹⁰. It is argued that these support the case being made with regard to human rights issues.

THE CASES FOR THE OTHER OBJECTORS

Inquiry appearances - duly-made, qualifying objections

Objection No. 30: Mr Cesar Palaquibay and Mrs Mirca Morera

202. Mr Palaquibay is a market trader, and Mrs Morera is his daughter, who grew up in England and went on to study at Oxford University and in New York. Mrs Morera is also a Director of Latin Corner UK Ltd, a social enterprise which seeks to advance the Latin American community's cultural interests²¹¹. Whilst Mr Palaquibay and Mrs Morera support the case being made on behalf of the traders' group as a whole, at the inquiry, Mrs Morera indicated that she wished to present her evidence separately from the group.
203. At the Market, Mrs Morera runs an informal community service for children of the traders and other children from the local community²¹². A group of about 10 children attend on Saturdays and after school on Mondays, and take part in activities that are geared towards exploring Latin American culture. One of the

²⁰⁶ OBJ/MT0/9: Closing submissions, paras 155 – 159; and OBJ/MT6/1: Claridge/Xanthaki, paras 39, 40

²⁰⁷ OBJ/MT6/1: Claridge/Xanthaki, paras 42 - 46

²⁰⁸ OBJ/MT0/9: Closing submissions, paras 145, 147, 149 and 153; and OBJ/MT6/1: Claridge/Xanthaki, paras 75 - 76

²⁰⁹ OBJ/MT0/9: Closing submissions, para 153; and OBJ/MT6/1: Claridge/Xanthaki, para 76

²¹⁰ Doc. GID/7 and OBJ/MT0/8: UN letter of 21 July 2017 and press release

²¹¹ Latin Corner UK Ltd is also an objector in its own right, as one of the parties to Objection No. 26

²¹² OBJ/030/1: Mrs Morera's statement

purposes of the group is also to foster social and community links between the children, and combat isolation. Four of the children have written letters about what the market means to them²¹³.

204. In recent years, since Grainger's involvement with it, Mr Palaquibay and Mrs Morera consider that the Market has suffered deliberate neglect, and that this is the reason why its condition is poor and why there is crime and anti-social behaviour. Traders also feel they have suffered harassment and provocation from some of those involved in the Market's management²¹⁴.
205. As well as being a place where the Latin American community can practise and express its cultural traditions, it is also a place where people of all nationalities get along together in harmony. As such, it offers a unique opportunity for cross-cultural integration and social mixing. The traders' campaign has always been widely supported by the indigenous community as well as Latin Americans. The Market is also important to the local economy, and attracts customers from a wide area. It provides low-cost accommodation for small businesses, and a livelihood to hard-working and enterprising families who would otherwise struggle²¹⁵.
206. The Order scheme threatens to undermine the area's social cohesion, and would fail to promote good relations or equality. This is not necessary, because the WCCC's community plan would be a viable alternative that would avoid these impacts and promote the interests of the minority group.
207. In this context, attention is also drawn to the FCPNM, and the International Covenant on Economic Social and Cultural Rights (the ICESCR). These are said to require governments to promote the conditions necessary for minorities to maintain and develop their culture, and to preserve the essential elements of their identity; and to refrain from policies aimed at the assimilation of minorities against their will²¹⁶. It is argued that the Order scheme contravenes these provisions.
208. Mr Palaquibay's and Mrs Morera's original objection is accompanied by a petition with approximately 1,600 signatures from 32 countries²¹⁷.

Objection No.108: Mr Emmet Haverty-Stacke

209. Mr Haverty-Stacke gave evidence that he lived for 7 years at one of the flats at 257 High Road (part of Plot 26 on the Order Map). He lived there as a tenant of the Irish Causeway Housing Association, who acted as a managing agent for the freeholders Circle 33 Housing. Mr Haverty-Stacke stated that the first he knew of the Order was in October 2016, when he received a letter from his landlords, giving him less than 2 weeks' notice to quit. He had previously seen publicity relating to "the Wards Corner site" but did not know that this included his home. He challenged the eviction notice in Court, but was only given a short stay of execution. He returned home from a second Court hearing to

²¹³ CD 6/4.1 - Attachments to Objection No. 30 (children's letters)

²¹⁴ OBJ/030/3: Mrs Morera's slide presentation

²¹⁵ OBJ/030/2: Mrs Morera's paper: 'The Case for Saving the Latin Village in Tottenham'

²¹⁶ CD 6/4.1: Objection No.30

²¹⁷ CD 6/4.1: Objection No.30

find the locks had been changed in his absence, and he was given only one hour to remove his belongings. Since then he has been homeless²¹⁸.

210. Mr Haverty-Stacke argues that Seven Sisters is a thriving social and economic community, where people help and depend on each other, and solve their own problems within the community. Because of this, shops in this area were left untouched during the 2011 riots, whilst the outlets of national retailers were the focus of attacks and looting. As well as Latin Americans, the area has significant communities of West Indian and African origin, and this diversity is one of the area's strengths and attractions.
211. In a wholly privately-owned development, the new residents would be likely to come from outside the area. They would not need to integrate and would not bother to do so. The same situation occurred in another local regeneration scheme, at Lawrence Road. Private flats would attract investors and speculators, who would rent them out on AirBnB.
212. Similarly, national retail chains would not employ staff from the local area, but would open up jobs to people from all over London. The new retail units and restaurants would end up being anonymous and soulless. More value could be gained from retaining the existing businesses and exploiting their unique qualities, as has happened at Notting Hill, Camden, Brixton and Stoke Newington. All of these have successfully regenerated their town centres without major development, and without pushing out local businesses.
213. The development would also adversely affect patients at St Anne's Hospital, who suffer mental health problems. Many of them depend on continuity and a sense of belonging, and this relates to seeing familiar faces in the local shops and market stalls. Taking this away would put their health at risk.

Inquiry appearances - duly-made, non-qualifying objections

Objection No. 26: 'Latin Elephant', Latin Corner UK Ltd, the West Green Road & Seven Sisters Development Trust, and Pueblito Paisa Ltd

214. Latin Elephant is a registered charity that campaigns for greater inclusivity towards migrant and ethnic groups in the processes of urban change in London. The roles and aims of Latin Corner UK Ltd, Pueblito Paisa Ltd and the WGRSSDT have already been explained elsewhere in this report. Evidence on behalf of these objectors was given by Dr Patria Roman-Velazquez, a senior lecturer at the Institute for Media and Creative Industries, and Latin Elephant's founder and Chair.
215. Dr Roman-Velazquez draws upon the extensive research that she has carried out into Latin American business clusters in London, and the impact on these of large-scale regeneration schemes. She argues that if the Order scheme goes ahead, there will be a serious risk that the Latin American cluster in Seven Sisters will be displaced. This is not an isolated case, but is an example of a wider phenomenon that is threatening migrant and minority communities and their micro-economies throughout London and elsewhere, most notably in the Elephant and Castle area. At Wards Corner, the effects will be felt

²¹⁸ OBJ/108/1: Mr Haverty-Stacke's statement, and oral evidence

disproportionately by the Latin American community, and especially by women²¹⁹.

216. The objectors support the case made on behalf of the Market Traders, and support the WCCC community plan as an alternative to the Order scheme²²⁰.

Objection No. 41: Dr Sara Gonzalez

217. Dr Gonzalez is an associate professor in the School of Geography at the University of Leeds. She has conducted a programme of academic research focussing on the effects of regeneration and gentrification on traditional retail markets²²¹. This research generally supports the arguments made by the Seven Sisters market traders and others regarding the effects of the Wards Corner scheme.
218. Dr Gonzalez sees no justification for any interference in the market traders' human rights. She believes the Order scheme will not deliver any benefits to economic and social well-being. The area is not neglected or unsafe, but this impression has been deliberately fostered. The relationship between the traders and the market management has become irreparably damaged. The proposed new market would lack atmosphere or community feel, and existing traders and customers would get priced out. The alternative community plan would deliver genuinely inclusive and participative regeneration, and protect the area's cultural and social heritage, and is therefore to be preferred²²².

Objection No. 42: Ms Susan Penny for the Clyde Area Residents' Association

219. Ms Penny spoke on behalf of the Clyde Area Residents' Association (CARA), which represents local residents, many of whom are said to be customers of shops and businesses within the Order site²²³. CARA has campaigned consistently over many years, against the loss of the Market, and the loss of the former Wards buildings, which the Association regards as a distinctive and well-loved gateway to Tottenham. In CARA's view the order scheme would represent a form of social and ethnic cleansing, destroying existing homes and businesses, and dislocating an entire community.
220. The Association has also consistently supported the WCCC's alternative scheme, which is seen as an exemplar of sustainable development, employing a range of environmentally friendly technologies and design features.
221. Ms Penny also produced a copy of a submission made in 2003 by the former Market operator, Ms Jill Oakley²²⁴. This demonstrates that greater efforts could have been made to work with the operator and traders to keep the Market going, on a better footing than has been the case since then.

²¹⁹ OBJ/026/1 and /2: Dr Roman-Velasquez' statement and slide presentation

²²⁰ CD 6/4.1 – Obj. No 26 by Latin Elephant and Others

²²¹ OBJ/041/2: S Gonzalez report 'Resisting Gentrification in Traditional Public Markets'

²²² OBJ/041/1: Dr Gonzalez' statement

²²³ OBJ/042/1: Ms Penny's statement on behalf of CARA

²²⁴ OBJ/042/2: 2003 submission by Jill Oakley

Objection No. 143: Ms Abigail Stevenson

222. Ms Stevenson is an architectural designer, with a degree in architecture from Edinburgh University, and is experienced in managing large scale commercial refurbishment projects. She took a leading role in bringing forward the WCCC's alternative scheme for the Order site.
223. The aims behind the WCCC scheme were to retain and reinforce Tottenham's heart and identity, its sense of place, its diversity, and its community spirit. The scheme sought to keep buildings of historic and architectural merit, to work with the community's existing physical assets, and make the area better for everyone²²⁵.
224. The WCCC scheme was the product of inputs from across the whole community, encompassing all types of community groups, working with a team of professionals including architects, urban designers, planners, and landscape architects, who gave their time freely. The plans and development brief, contained in the design and access statement produced for the scheme, demonstrate the level of expertise, commitment, and vision that went into producing the WCCC's planning application.
225. The community scheme has been costed and found to be viable. A business plan has been prepared but not submitted, because of confidentiality issues. Discussions about funding have been held with The Prince's Trust and other investors, including Mr Murillo. The plan could be carried out in a phased manner, allowing the Market to continue during the construction period, thus minimising disruption to traders and businesses²²⁶. The development could be implemented and managed by the WGRSSDT, which was set up specifically to provide a delivery vehicle for the scheme.
226. Ms Stevenson supports the Traders in their objections to the Order scheme, and considers that the new market proposed in the latter would not provide any improvement over the existing facility.

Objection No. 151: Ms Shirley Hanazawa

227. Ms Hanazawa is a long-time Tottenham resident, and a member of the WCCC and of 'Our Tottenham', a network of local community groups. When she first came to the Seven Sisters area 25 years ago, the Wards Corner building was one of the things that drew her there, as it gives an air of distinctiveness and uniqueness. She considers the present Market a valuable community asset. In her view, the Order scheme would destroy the area's vibrancy. The proposed private flats and nationally-branded retail outlets would not provide an adequate substitute to meet the needs of local people.

Objections Nos. 155/167: Ms Pam Isherwood/Page Green Residents' Association

228. Ms Isherwood is a local resident and member of the Page Green Residents' Association (PGRA) and WCCC. She is an objector to the Order in her own right (Obj. No. 155), and also represents PGRA (Obj. No. 167). PGRA has 500 members, who are residents living to the east of the High Road.

²²⁵ OBJ/143/1 and /2: Ms Stevenson's original objection and inquiry statement

²²⁶ OBJ/143/3: Ms Stevenson – slide presentation

229. The existing Market is seen as a unique resource and a cohesive element, of great benefit to the area and its diverse community. The Order scheme is regarded as a bland, nondescript modern design of no particular merit. Ms Isherwood and PGRA would prefer to see the WCCC scheme, which in their view would better preserve the CA and the area's character²²⁷.
230. The area has been unfairly stigmatised as having high levels of crime and social problems, when that is not how it is seen or experienced by many local people. The market traders themselves have worked hard to turn things round, making the Market itself an attractive place to visit, and a cultural tourist destination. This has benefited the whole of the Seven Sisters area. There is no longer any need to demolish it to 'clean up' the area.
231. Research shows that town centres are better with independent local retailers, as more spending is retained in the area²²⁸. The WCCC community plan would achieve this better than the Order scheme. It would enable the traders to stay, avoid decanting them to a temporary market, and avoid imposing large rent rises on them. It would also provide local jobs, training, and affordable business space, and restore an iconic building.
232. In the Order scheme, Grainger and the Council have only belatedly and reluctantly made any provision for the retention of the market, and it is questionable whether they are really committed to it. Even if the market survives, it would be inferior to the existing one, and is unlikely to retain the existing mix of traders.

Objection No. 159: Mr Colin Hobbs

233. Mr Hobbs is a local resident. He supports the WCCC alternative scheme in preference to the Order, because it would retain the market and the existing buildings, and has public support.

Duly-made objections - written representations (all non-qualifying)

Objection No. 28: Talentos Group

234. The Talentos Group is a mainly Colombian folkdance group, based at Seven Sisters market. Their original objection is accompanied by duplicate letters signed by 10 members of the Group²²⁹.
235. The Group provides for children, young people and adults. It seeks to strengthen the community's ties, traditions and roots, and promote Latin American culture to a wider audience. The Group performs at shows, carnivals and festivals throughout London and elsewhere, nationally and internationally.
236. The Group opposes the CPO for reasons similar to those of the Market Traders and other objectors. In addition, the loss of the existing market would deprive the Group of a place to practice and perform, and thus to keep these elements of their culture alive.

²²⁷ CD 6.4/2, objs 155 and 167; and OBJ/167/1 and /2: Ms Isherwood's statement and further comments

²²⁸ Ms Isherwood – oral evidence

²²⁹ CD 6/4.1: Obj No 28 by Talentos Group

Objection No. 29: Wards Corner Community Coalition

237. WCCC is a coalition of community groups within the Seven Sisters and South Tottenham area. It is the principal promoter of the alternative, community-led development scheme for the Order site. The Coalition's original objection was supported by duplicate letters signed by 60 supporters²³⁰.
238. WCCC supports the case made by the Market Traders and other objectors. In addition, the Coalition raises numerous procedural objections in respect of the Council's handling of the Order and the related planning applications, and its dealings with Grainger over both the Order site and Apex House, and the adequacy of consultation and engagement over all of these²³¹.

Objection No. 33: Ms Illary Valenzuela Oblitas

239. Ms Oblitas is a project co-ordinator with the Latin American Women's Rights Service. She sees the existing Market as a place for the community to socialise and maintain links, as well as a source of financial autonomy. She objects to the Order scheme because in her view it will displace the entire community. She agrees that regeneration is needed, but would prefer an inclusive, community-led plan, in which the final decisions are in the hands of the traders.

Objection No. 38: Mrs Candy Amsden

240. Mrs Amsden is a long-standing local resident, and a founder member of WCCC and a member of CARA. She has campaigned against the redevelopment of Wards Corner since 2007. In her view, the Council's and Grainger's efforts at consultation have been an exercise in tokenism, where the views of residents and local business people have never been properly listened to.
241. She questions the Council's dealings with Grainger and the use of public money from the New Deal for Communities. She also expresses concern regarding deliberate neglect of the Wards building, and the treatment of vulnerable residents in some properties at the Order site²³².

Duly-made objections without further submissions - qualifying

Objection No. 2: K M Patel and S M Patel

Objection No. 21: Prajida Sukamaran

242. Messrs K M Patel and S M Patel own the freehold interest in Nos 9-11 West Green Road (Plot 22 on the Order Map), and Prajida Sukamaran is the freeholder of Nos 3-7 West Green Road (Plot 23). Both parties made formal objections to the Order in October 2016. Neither party has made any further comment, but their objections have not been withdrawn²³³.
243. The Patels argue that their property should be excluded from the Order, because the scheme could proceed without it, and because their property could

²³⁰ CD 6/4.1 – Obj. No 29

²³¹ CD 7/5 and 7/6 – WCCC statements of case

²³² OBJ/038/1 and /2: Mrs Amsden's statement and appendices

²³³ The Council's evidence is that terms have been agreed for both of these properties

be redeveloped or improved separately. They also object to the Order on grounds of insufficient consultation, and lack of any compelling case.

244. Prajida Sukamaran objects to the Order on grounds relating to its effects on the Seven Sisters Market and the traders.

Objection No. 5: Sainsbury's Supermarkets Ltd

Objection No. 6: Beauty Power Ltd

Objection No. 16: Ms Sher Afgan

Objection No. 19: The Eye Practice

245. The objectors hold commercial leases or tenancies within the Order site. Sainsbury's have a lease on the ground floor and basement of Nos 3-7 West Green Road (part of Plot 23)²³⁴. Beauty Power has a tenancy at 255-259 High Road (part of Plot 26), and Ms Afgan is the owner of that business. The Eye Practice occupies the shop unit at 715 Seven Sisters Road (part of Plot 3). Since making their formal objections to the Order, none of these parties has added anything further, but their original objections remain.
246. Sainsbury's employs 30 staff, most of whom live locally, and it is argued that the closure of their shop would have a serious social and economic impact on the area. The Company would be willing to consider taking a replacement unit in the new development, but at the time of the objection, it was felt that there was uncertainty over the delivery of the proposed scheme, and that insufficient negotiations had taken place.
247. Beauty Power and Ms Afgan object to the Order on the grounds that the scheme would destroy the existing buildings, and cause the loss of existing businesses and jobs, and would thus damage the area's economy, environment and social fabric. As such, it is seen as contrary to local planning policies. In addition, it is argued that the scheme has not been shown to be commercially viable, and there is no compelling need for it. Beauty Power itself has invested heavily in its premises and trading stock, and fears that closure or relocation would involve heavy losses.
248. The Eye Practice is a small business, employing three local members of staff. It provides an essential service to the local community, with over 5,000 patients on its books. If the practice had to move, there is a shortage of suitable and affordable alternative accommodation in the area.

Objection No. 9: Mr Alvaro Molina

Objection No. 10: Mr Luis Enrique Segura Garcia

Objection No. 11: Mr Wilson Patino

Objection No. 12: Miss Laura Patino

Objection No. 13: Mrs Prathibha Sreenivasan

249. At the date of the Order, Mr Molina, Mr Garcia, and Mr Patino and his teenage daughter Laura Patino, were residential occupiers at No 10 Suffield Road (Plot 10)²³⁵. Mrs Sreenivasan was the occupier of the top flat at 9-11 West Green Road (Plot 22). None of these objectors has made further comments, and it

²³⁴ The Council reported at the inquiry that terms had been agreed for the acquisition of Sainsbury's lease

²³⁵ The Council has reported that this property has since been vacated, but it is accepted that this does not affect the objectors' qualifying status

has subsequently been reported that Plot 10 has been vacated. However, the objections have not been withdrawn, and remain to be considered.

250. All of the objectors were worried about the loss of their homes, and the high cost and difficulty of finding alternatives. Some were uncertain as to their eligibility for social housing. Several had concerns over losing their easy access to public transport for journeys to work. Disruption to schooling was an issue for the Patino and Sreenivasan families.
251. Issues were also raised relating to the future of the Market, the effects on traders, the loss of the existing buildings, and the lack of affordable housing in the proposed scheme.

Objection No. 14: Mr Awlad Hussain

Objection No. 20: Mr Samuel Ludmir

252. Mr Hussain and Mr Ludmir are the freehold owners of Nos 16 and 8 Suffield Road respectively (Plots 13 and 9). Their particular objections relate only to the amount of compensation. This is a matter which, if the Order is confirmed, would fall to be determined in accordance with the relevant statutory provisions. As such, it is separate from the Secretary of State's decision as to whether the Order should be confirmed or not. Accordingly these objections cannot be considered further in this report²³⁶.

Objection No. 15: Mrs Pamela Myall

Objection No. 17: Mrs S Mustafa and Mrs F Houloussi

253. Mrs Myall, Mrs Mustafa and Mrs Houloussi are the owners of properties outside the Order site, who have made objections in respect of rights to light²³⁷. These objections are again concerned only with the amount of compensation, and therefore are not considered further here.

Duly-made objections without further submissions - non-qualifying

Objections Nos. 23, 24, 32, 34, 37, 39, 40, 43-107, 109-142, 144-150, 152-154, 156-158, and 160-165 (various individual objectors without qualifying interests)

254. The 123 remaining duly-made objections are primarily based on matters already covered in more detail above. In particular, these raise issues relating to the effects on the Market, the loss of the existing High Road and Wards Corner buildings, the lack of affordable housing, and the effects on the local community.
255. In addition, Mr David Schmitz (Obj. 40) argues that in judging the viability of the WCCC's alternative, community-led scheme, the cost of the land should not have to include the full price paid (or to be paid) by Grainger. That figure takes account of the enhanced value derived from the Order scheme, and Mr Schmitz suggests that this distorts the assessment. Without that burden, he considers the WCCC scheme is capable of being viable.

²³⁶ With regard to Plot 9, the Council also reported at the inquiry that terms had now been agreed

²³⁷ The existence of rights to light in respect of these properties is not disputed by the Council.

256. Dr Giota Alevizou (Obj. 116) comments that the WCCC plan results from a symbiotic collaboration between the project team and local community, which reflects the symbolic identity of the site as social space. In her view this provides an opportunity within that scheme to build in greater community resilience, and to better support the area's economic, social and cultural fabric.
257. In a similar vein, Katerina Alexiou (Obj. 121) considers that the WCCC scheme is rooted in a deep understanding of the community's cultural and social make-up. In her view the objections are not politically driven, nor backward looking, but are based on a genuine interest in the area, a belief in the power of localism, and a desire for sustainable change.
258. Jean-Jacques Best (Obj. 139) believes it must be possible to preserve the existing buildings and create space for micro-businesses. In his view this would be a more tangible form of regeneration, enabling local people to become self-sufficient and create permanent high-quality employment; rather than offering them what may be poorly-paid, part time or shift-work jobs in conventional retailing.
259. Laura Hill (Obj. 147) advocates the benefits of lower-rise buildings, such as the existing buildings on the site, as a means of promoting better mental health and well-being.

Late objections (all non-qualifying)

Objection No. 166: Save Britain's Heritage

260. 'Save' notes that the planning permission for the Order scheme, granted in 2012, pre-dated the publication of the PPG and the adoption of the current LPCA. It is suggested that in the light of these more recent policies and guidance, the scheme offers inadequate benefits to justify the confirmation of the Order. In any event, Save objected to the planning application for the development, and still considers that permission should not have been granted²³⁸.
261. The existing buildings contain embodied energy, which would be wasted by demolition and redevelopment. Their design and construction are robust enough to allow for refurbishment and adaptation to new uses, and this should be preferred. The range of alternative development options considered has been too narrow. Re-use could be combined with some additional development in the form of infilling and roof extensions²³⁹.
262. Alternative forms of regeneration may be possible that take advantage of the existing Market's strengths as a unique selling point for the area. Camden Lock, Borough Market and Brick Lane provide good examples of successful regeneration models, outside of the limited vision of large development corporations.

Objections Nos. 168 – 191: Various objectors

263. Mr Isaac Bigio (Obj. No 168) draws attention to the growing Spanish and Portugese-speaking Iberian community in London, of which the Latin American

²³⁸ CD 6/4.2, 'SAVE's objection, No 166

²³⁹ CD 7/7: 'SAVE' statement of case

contingent is a part. The importance of this community has been recognised by the London Assembly²⁴⁰.

264. The National Market Traders Federation (the NMTF, Obj. 169) expresses concern for the existing businesses, and for the effects on the Market's essential character. It urges that the Market should be allowed to continue to reflect the local community.
265. Claudia Turbet-Delof (Obj. 172), a practitioner in the field of mental health, comments on the particular vulnerability of ethnic minority members to mental and emotional health issues, resulting from their lack of resources, perceived low status, and feelings of inequality. In this context the Seven Sisters Market is seen as a valuable place of social as well as a cultural refuge.
266. The remaining late objections echo similar issues to those reported above.

Petitions

267. The two remaining petitions, numbered as Submissions Nos. 27 and 31, have 163 and 52 signatures respectively. The grounds of objection raised are already covered above.

THE COUNCIL'S RESPONSE TO THE OBJECTIONS

Human rights under Article 8 and Article 1

268. The Council submits that all of the arguments of the traders and other objectors relating to loss of rights are based on the fear that the Seven Sisters Market will cease to exist, or that the existing traders will not be able to continue their businesses there. In the Council's view those arguments are unfounded, because the Order scheme allows for the Market to be retained, and the Section 106 agreement protects the traders' right to remain on the site²⁴¹. There is also no evidence that the rents in the new temporary or permanent markets would be unaffordable. It follows that none of the adverse impacts alleged by objectors, in relation to human rights, children's interests, and discrimination, will arise.
269. In addition, with regard to 'Article 8' rights, relating to the home, family and private life²⁴², it is argued that no such rights are involved here, except in the limited number of cases where the development would also involve the loss of residential accommodation. That applies to only a small number of objectors. The loss of the Market itself would not amount to an interference with anyone's home or family life.
270. With regard to Article 1 of Protocol 1, relating to the right to possessions²⁴³, it is argued that the Order would not deprive the traders of any possessions. The traders' licences to operate in the Market are terminable at short notice, irrespective of the Order. That is a purely contractual matter between the traders and the market operator. The CPO does not seek the power to acquire

²⁴⁰ OBJ/168/4: letter from Tony Arbour, Chair of the London Assembly

²⁴¹ APP/0/11: Closing submissions, Legal Annex, para 38, 51 et al

²⁴² APP/0/11: Closing submissions, Legal Annex, paras 42 - 63

²⁴³ APP/0/11: Closing submissions, Legal Annex, paras 39 and 64 - 68

any licences, because no such power is necessary. The loss of licences, were that to occur, and any consequences that might follow for individual traders, would therefore not result directly from the Order. Article 1 is therefore not engaged.

271. In any event, if any interference with any human rights were held to arise, the Council considers that this would be justified and proportionate, in pursuit of the legitimate aims of the Order scheme, which would have overriding public benefits for the community as a whole.

Equality and discrimination

272. Having regard to both Article 14 and the PSED, the Council does not accept that the Order would have any unequal or discriminatory impact on the Latin American community, because the future of the Market is adequately secured. It is also argued that there is no evidence of any differential impact on women, especially as any barrier due to languages is likely to affect both sexes equally²⁴⁴.
273. But in any event, the Council argues that the law does not require minorities to be protected against all adverse effects, nor does it require an outcome that leaves them in exactly the same position as now²⁴⁵. What is required is that any negative impacts are identified and weighed in the overall planning balance²⁴⁶. The *West Berkshire* judgement shows that it is right to treat any equality impacts as part of that balance²⁴⁷. The *Hurley & Moore* case makes it clear that the amount of weight is a matter for the decision-maker²⁴⁸.
274. The Council maintains that it has properly complied with the relevant legal requirements in these respects. It is also submitted that following the present inquiry, the SoS will have before him all the information that is needed to enable him to take full account of these matters in deciding whether to confirm the Order²⁴⁹.

Best interests of children

275. Even if the objectors were right as to the Order's effects on the Market or on the traders, the Council argues that there is no evidence that this would cause any significant adverse effects for children²⁵⁰. The children's private lives at home and at school would not be directly affected. There is no evidence that they would not be able to find alternative places to meet other children from similar ethnic backgrounds, or to learn about their origins and culture. In any event the existing market is not necessarily a safe or suitable place for those activities, given the condition of the building and the repairs that are needed.
276. The Council disputes the traders' submission that they should have sought further information as to the impacts on children²⁵¹. There was no reason to

²⁴⁴ APP/0/11: Closing submissions, Legal Annex, paras 69 - 72

²⁴⁵ APP/0/11: Closing submissions, Legal Annex, paras 3b, 8 and 25

²⁴⁶ APP/0/11: Closing submissions, Legal Annex, paras 7-12

²⁴⁷ APP/0/11: Closing submissions, Legal Annex, para 8

²⁴⁸ APP/0/11: Closing submissions, Legal Annex, para 7

²⁴⁹ APP/0/11: Closing submissions, Legal Annex, paras 5 - 33

²⁵⁰ APP/0/11: Closing submissions, Legal Annex, paras 51 - 59

²⁵¹ APP/0/11: Closing submissions, Legal Annex, paras 20e, 47 - 50

imagine that the interests of any children who might be affected would be anything other than consistent with those of their parents. This was a reasonable assumption, in line with the judgement in *Collins*²⁵². The Council therefore had sufficient information, from the surveys that were carried out for the EqIAs.

277. The evidence relied on by the objectors is primarily the four children's letters produced by Mrs Morera²⁵³. These were not available when the Order was made, but in any event, children's own preferences are not necessarily the same as their best interests. None of the evidence suggests that the impact on children would be anything more than minor.

International law

278. The Council contends that international conventions and the like become binding in the UK only if they are incorporated into domestic law by specific legislation. This is because treaties are entered into by Governments, as the Executive, but can only become law when passed by Parliament²⁵⁴. It is argued that neither the ICCPR, the ICERD, the FCPNM, nor any of the other international instruments and documents referred to by the objectors, has been thus incorporated. The applicable statutes in this case are therefore the Human Rights Act 1998, the Equality Act 2010, and the various Planning Acts²⁵⁵.
279. The letter received from the UN Special Rapporteurs is misrepresented as supporting the objectors. The letter only requests further information, and expressly states that it is not intended to prejudge the accuracy of the facts so far reported to them²⁵⁶.

Consultation

280. Nobody affected by the Order has been denied the right or the opportunity to object to it, and to engage throughout the process. Translations have been made available whenever requested. In any event, it is clear that all those who expressed a wish to participate in the present inquiry have been allowed to do so, irrespective of whether they made objections within the statutory period²⁵⁷.

Residential occupiers

281. The Council states that all existing residential tenants of Council or Housing Association properties at the Order site, have either now been re-housed, or have been offered alternative housing²⁵⁸. This includes Mr Haverty-Stacke, and also Mr Taylor, who were erroneously omitted from the list of persons to be given notice in September 2016.

²⁵² APP/0/11: Closing submissions, Legal Annex, paras 43 - 44

²⁵³ APP/0/11: Closing submissions, Legal Annex, para 47

²⁵⁴ APP/0/11: Closing submissions, Legal Annex, paras 78 - 83

²⁵⁵ APP/0/11: Closing submissions, Legal Annex, paras 73 - 77, 84 - 85

²⁵⁶ APP/0/11: Closing submissions, Legal Annex, para 86

²⁵⁷ APP/0/11: Closing submissions, Legal Annex, paras 85a and 85b

²⁵⁸ APP/0/10: Closing submissions, para 76

282. Where there are, or were, private residential tenants in properties already acquired by Grainger, those tenants have been given, or will be given, six months' notice. In most cases this exceeds the notice period required by the terms of their lease. In other cases, the termination of private residential tenancies will be a matter for the owner of the property, in order to provide vacant possession. However, if any residential tenant or occupier were to be unable to find new accommodation, or became unintentionally homeless as a result of the Order, the Council would have a duty to re-house them²⁵⁹.
283. With regard to Mr Haverty-Stacke, the Council has established that he was given notice by Irish Causeway Housing Association in January 2016. The letter contained some errors, but was clear in informing him that his flat would have to be vacated later in the year. The letter offered to provide help with re-housing. Subsequently, the Council understands that Irish Causeway made four offers of accommodation to Mr Haverty-Stacke, but all of these were refused²⁶⁰.
284. In addition, Mr Haverty-Stacke, along with all other residential occupiers, would have received copies of the Council's newsletters on the Seven Sisters Regeneration, which were distributed to all addresses in the Order lands, in July and December 2015, July 2016 and April 2017. These referred explicitly to the intention to acquire properties compulsorily, and contained a full description of the extent of the Order site. In addition, Mr Haverty-Stacke and others were sent Section 16 notices on three occasions in June 2016. A door-knocking exercise was also carried out, specifically to try to make contact with any occupiers who had not responded²⁶¹.
285. Although Mr Haverty-Stacke was wrongly left out of the notices served in September 2016, he nevertheless did submit an objection to the Order, within the requisite deadline, and his objection was accordingly registered as duly-made. He also attended the Pre-Inquiry Meeting in May 2017, and appeared at the Inquiry itself. Mr Haverty-Stacke was therefore not denied a full opportunity to make his case.
286. Furthermore, the Council's re-housing officer is aware of Mr Haverty-Stacke's situation and has maintained regular contact with him during 2017, and held a meeting with him during the course of the Inquiry, all with a view to assisting with finding suitable accommodation. Medical information has also been sought, and matters are ongoing.
287. A meeting has also been held with Mr Taylor, and he has confirmed that he does not wish to object to the Order.
288. The Council therefore maintains that the admitted procedural error in failing to serve notice on Mr Haverty-Stacke and Mr Taylor has not prejudiced the inquiry process. Consequently, this should not prevent the SoS from being able to make a decision on whether or not the Order should be confirmed.

²⁵⁹ APP/0/10: Closing submissions, para 76

²⁶⁰ Doc GID/6: Council's replies to Inspector's questions; and attachments including Irish Causeway letter

²⁶¹ Doc GID/6: Council's replies to Inspector's questions; and attachments including Seven Sisters regeneration newsletters

INSPECTOR'S REASONING AND CONCLUSIONS²⁶²

Main Issues

289. In the light of the objections, and having regard to the enabling legislation²⁶³ and published Guidance²⁶⁴, it seems to me that the main issues for the SoS's consideration are as follows:

- whether, and to what extent, the Order scheme would advance the Council's overall regeneration strategy for the Borough;
- whether, and to what extent, the scheme would contribute to the Seven Sisters area's economic, social and environmental well-being;
- whether the scheme accords with the adopted development plan;
- whether the scheme is viable and free from impediments;
- whether the purposes of the Order could be achieved without the use of compulsory acquisition powers;
- whether the purposes of the Order could be achieved by any other means;
- whether, and to what extent, the confirmation of the Order would affect human rights, or equality, or the best interests of children;
- in the light of all the above, whether a compelling justification exists for the confirmation of the Order, in the public interest.

Relationship to the Council's wider regeneration strategy

290. It is evident from the evidence presented that the eastern half of the Borough of Haringey, which includes the Order site and most of the Tottenham area, suffers high levels of deprivation and disadvantage. These are manifested in a range of inter-related problems including an under-performing local economy, a depressed environment, poor quality housing, declining services, low attainments, ill-health and crime. Together, these are seen as symptoms of a community in decline. Although the Council's portrayal of these matters is disputed by some, the statistical evidence is convincing, and this bears out the Council's assessment of the scale of the problems and the need for intervention **[79-83]**.

291. As part of its strategy to tackle these issues, the Council has embarked on a Borough-wide programme of regeneration and renewal. The strategy has been to concentrate public and private sector investment in a sequence of major development schemes, at selected growth points distributed around the Tottenham area, with a view to these becoming catalysts for further development and renewal in those areas. This approach has been successful in getting development under way at Tottenham Hale and around the new football stadium, and other major schemes are in the pipeline. Eventually the strategy seeks to link up the main growth areas, to spread the benefits to intervening communities **[84-88]**.

²⁶² In this section, the numbers in square brackets, thus **[]**, refer to earlier paragraphs of this report

²⁶³ Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended)

²⁶⁴ 'Guidance on compulsory purchase process and The Crichel Down Rules...', DCLG October 2015

292. Some of the objectors are critical of this approach to regeneration, citing a loss of familiar environments, displacement of lower-income groups, and weakening of community structures. But, as far as I can tell, the Council has involved the public and other stakeholders in all of the various initiatives that it has taken, both within the formal processes of the planning system and outside of it, and there have been adequate opportunities for dissenting voices to be heard [85, 97, 122, 123]. Consequently, in so far as it is necessary for me to take a view on this, for the purposes of the present inquiry, I see no reason why the Council's overall strategy should not be supported.
293. So far, all of the major developments that have been started, or are moving closer to being started, are in Tottenham's northern wards. From the Council's point of view, the next stage is to kick-start the same process in the south of the area, by identifying a potential new growth point and targeting that area for new development and investment. Seven Sisters is seen as the obvious choice for this role, because of its strategic role as a major transport interchange, combined with pockets of environmental decay [24-26, 89-92]. To my mind, this is a logical response, consistent with the regeneration programme's overall aims.
294. Having settled on Seven Sisters, the Order site at Wards Corner offers immediate proximity to the underground station, with a frontage to the High Road, and is directly opposite the Apex House site, where major development is already under way [23]. It also has long-term empty and semi-derelict buildings, in the Corner Building and the upper floors above the Market [19], and some prominent gap sites [15]. The Market itself is a potential asset, but is in need of a major upgrade [102-103]; its present run-down appearance detracts from perceptions of the area. No other site has been identified at Seven Sisters that offers these advantages and opportunities for major redevelopment. I therefore agree that the Wards Corner site is the most obvious and logical choice for the Council to focus its efforts on, to bring regeneration to the southern part of Tottenham.
295. In the light of these considerations, I conclude that the development of the Order site would fit in well with the Council's regeneration strategy for the Tottenham area as a whole, and would help to ensure that the momentum of renewal is maintained and extended to reach other parts of the Tottenham area. As such, the benefits that the Order scheme itself can bring to the area are not limited to its own direct effects, but include also its value as part of this wider strategy.

Contribution to economic, social and environmental well-being

The scheme's benefits to well-being

296. Having said this, the direct benefits that the Order scheme would deliver would also be substantial. First and foremost, the development would provide a bright, new, modern retail centre, fronting onto a new semi-enclosed public space with seating and landscaping [33-35, 38]. In so doing, it would create a new focus for this part of the High Road, and a new sense of identity for the Seven Sisters area. Modernising the shopping environment in this way would provide an improved shopping experience, and would be likely to attract significantly more footfall to the area, especially if some of the units were taken up by well-known national names [95, 96]. It would also lead some of

- those who now only pass through, to spend more time in the area. As such, it would help to encourage other retailers and property owners to invest in their premises and start the process of upgrading the District Centre as a whole.
297. Secondly, the development would provide a new and much improved home for the Seven Sisters Market **[102-104]**. This would potentially enable the Market to capitalise on its strengths and its uniqueness, and thus become more of an attraction and an asset to the community, both economically and culturally.
298. And thirdly the scheme would provide 196 new residential units, in a range of sizes catering both for families and for smaller households. These new homes would be conveniently located for all forms of public transport, and would be set around a generous communal landscaped amenity space. They would offer good-quality modern housing of a type which is greatly needed throughout London, and in an area where relatively little private development has taken place in recent times **[95]**. An injection of new housing on this scale would have the potential to stimulate further private development, as well as bringing in more spending power to support local shops and services.
299. In terms of its economic impact, the development would bring into the area a major initial investment of around £60m, creating nearly 200 jobs during the construction phase alone **[94]**. The S.106 agreement ensures that these will be offered first to local workers, and will include training opportunities in accordance with the local employment and recruitment partnership arrangements²⁶⁵. Afterwards, there would be significant numbers of permanent jobs created within the development itself, and the household expenditure from the new dwellings would add to the local economy and support further jobs and services **[94]**.
300. In environmental terms, the development would create a new landmark. The area would benefit from a major uplift to its physical fabric and public realm, and from the incentive that this would create for further improvements. Socially, the local community would benefit from the greater prosperity that the development would bring, and the improved prospects for the area's future **[95, 96]**.
301. Together, these interlinked benefits to the area's social, environmental and economic well-being add up to a strong case in favour of confirming the Order.

The effects on the future of the Market

302. Against these benefits, the Traders and others argue that the proposed scheme would lead to the closure of the Seven Sisters Market, and that this would harm the area's well-being **[150-159, 205, 229, 230]**. I accept that the terms of the S.106 agreement, even with the Deed of Variation, do not amount to a cast-iron guarantee that the new permanent market will be provided, nor that it will be retained in perpetuity **[158, 173]**. But it would be unrealistic to expect such an open-ended commitment. The legal obligations require the developer to use reasonable endeavours to ensure that the new market is provided **[39]**. Such an obligation is not a matter that can be taken lightly, and the Council has powers enforce it through the Courts if necessary. Terms have already been agreed with a potential operator **[120]**. Overall I see no

²⁶⁵ CD 4/38C: The deed of variation, Schedule 3, Clause 8

reason to doubt that, if the development goes ahead, in all likelihood it will include the new Market.

303. I tend to agree with the view of some objectors that the new Market's design and layout, and its location within the development, are not necessarily the best that could be achieved [157, 232]. Ideally, it might have been preferable if the Market were located more prominently, and if the building had been designed to give it more visual emphasis, and indeed some form of external expression. But there is no evidence that these shortcomings undermine the Market's viability. The existing market hall has far greater shortcomings, yet has managed to survive [91, 102]. In comparison with this, the new facility would be a considerable improvement, having more space, better access, and proper standards of construction [104]. In my view therefore, the development's effect on the Market would be to enhance its long-term prospects rather than damage them.
304. I accept that not all of the existing traders might necessarily be able to, or wish to, continue in the new Market [145, 147, 150-155, 215, 217]. For some, even with the discounts and incentives provided for in the S.106 agreement and deed of variation [39, 40], the rents required in the new Market might be too high. For others, the difficulties of moving twice in two or three years may be too much. So too might be the loss of the existing unauthorised extensions and mezzanine additions [156]. But the retention of the Market is not dependent on the existing traders. Indeed a regular turnover of traders and businesses is a common feature of many London markets, especially where stalls are held on short-term licences, as here. There is no evidence that new stall-holders could not be found, if vacancies arose. Questions such as whether that might lead to a change in the Market's character, or in the range of goods sold, or the ethnic mix, are not normally regarded as planning matters²⁶⁶. To my mind these are primarily commercial considerations, for the traders themselves, and for the market operator.
305. Undoubtedly, transferring the Market from the existing building, first to the proposed temporary facility, and then to its new permanent home, poses some challenges, to all those involved. But looking at the Market as it is now, with its cramped interior, poor environment, dubious electrical safety, and other compliance issues [102, 103], it is evident that it cannot carry on indefinitely without major changes, irrespective of the outcome of the present proposals.
306. I conclude that the Order scheme makes reasonable provision for the retention and continued operation of the Seven Sisters Market. Although the development would not be without risks to the Market, it faces an uncertain future in any event, and on balance the effect of the scheme would be to enhance its prospects of survival. This reinforces my view as to the Order scheme's overall benefits to the area's well-being.

Effects on the District Centre

307. Some of the objectors argue that the diversity and vitality of the District Centre would be reduced, due to the introduction of national 'chain-store'

²⁶⁶ Except in so far as it may involve issues of human rights or discrimination, which are considered later in this report

retailers [212, 227, 229]. However, it is not disputed that these types of stores are lacking from the District Centre at present [87, 91]. Making provision for them, alongside the new Market and some smaller units, would therefore add something extra to the Centre's current offer, in terms of both range and quality.

308. Outside the Market there would be a net loss of about six existing small shops, but Grainger's are said to be working with these businesses to assist with their relocation²⁶⁷. The new small units in West Green Road would be suitable for these types of retailers, and the S.106 provisions require them to be offered preferentially to applicants who are local and independent [39]. Some of the existing retailers within the Order site have already expressed interest in taking these units²⁶⁸. There is no evidence that any other existing shops, outside of the Order site itself, would be driven away.
309. In any event, it seems to me that most national retailers would not compete directly with the smaller and more specialised local shops. Rather, the national operators would have the ability, through advertising power and brand-awareness, to draw custom from a wider area. This additional footfall would be likely to benefit the Centre as a whole, including the smaller retailers and the Market.
310. These considerations again reinforce my view that the Order scheme's net effects would be beneficial.

Effects on the area's historic heritage

311. The proposed development would mean the loss of the two locally listed buildings, including the Corner Building, and also the loss of the whole of the site's High Road frontage, which lies within the Conservation Area [21, 22]. The character of this part of this part of the CA would change as a result. The historical link with the former Wards store would also be broken [167, 168, 219].
312. However, the quality of the existing buildings is not high [111-113]. All of the Wards buildings have suffered unsympathetic alterations over the years, and the terraced row in particular has been badly disfigured by the removal of most of its original features from the front elevation. The large rear addition, although not seen from within the CA, is crude and over-dominant, and seriously harms views of the CA from Suffield Road. The Corner Building's local listing seems to have been based on a faulty understanding of its construction [113]. In common with No 1A/B West Green Road, it has some local interest, but falls well short of warranting the degree of protection that would be given to an LB on the national list.
313. In addition, it is evident that none of the former Wards buildings have been well maintained for many years, and as I saw on my internal visit, the unused parts are in an advanced state of decay. The investment needed to give them a new lease of life, would clearly be very substantial [102, 103]. There is no evidence that their condition results from deliberate neglect; to my mind it more likely reflects the general decline of the surrounding area. Without a

²⁶⁷ Mr Walker's oral evidence

²⁶⁸ Mr Walker's oral evidence

major economic stimulus, of the kind now proposed, it is difficult to see how this process could be reversed, or how the necessary investment could be justified.

314. In the circumstances, I find that the contribution that the existing buildings within the Order site make to the character and appearance of the CA varies between, at best, neutral, and at worst, negative. As such, none is so important that its preservation would be of more value to the CA than a well-designed replacement.
315. In the Order scheme, notwithstanding my reservations about the treatment of the Market element, the overall quality of the design is good. The proposed building, although taller than those around it (except for the new Apex House development), would follow the area's existing street pattern and urban grain [114, 115]. The massing and composition would be coherent. The elevational treatment would be restrained and well-mannered. The materials would have consistency and quality. The external spaces, and their relation to the wider public networks, would be welcoming and inclusive. The development would make a bold statement, as it needs to do in order to fulfil its purpose of beginning the area's transformation and regeneration; but that statement would be a positive one. The design is undoubtedly 'of its time', but so too were most of its neighbours along the High Road, representing as they do their own differing periods and styles. In all these respects therefore, the development is to my mind a fitting response to the site and to the area's needs.
316. I acknowledge that design is a subjective matter, and many of the objectors take a different view. My conclusion however is that the development's overall effect on the CA, and on the historic heritage of the area generally, would be one of enhancement. This further reinforces my earlier conclusions regarding the effects on the area's well-being, particularly in environmental terms.

Conclusion on the scheme's effects on well-being

317. Based on the foregoing, I conclude that the Order scheme would positively advance the area's well-being, in each of its economic, social and environmental aspects.

Accordance with the development plan

Site-specific and area-specific policies

318. The relevant development plan policies are those of the TAAP, the HSP, the HSPA and the LPCA [45, 46]. These are all relatively recent plans, having been adopted since the publication of the NPPF in 2012. No objectors have questioned their up-to-dateness or their consistency with national policy.
319. The most important of the relevant policies is Policy SS5 of the recently-adopted TAAP, which sets out detailed and specific land use proposals for the Wards Corner site [58]. In proposing a new market hall, retail units, residential, other town centre uses, and an improved public realm, the Order scheme accords fully with the mix of land uses sought in this site-specific policy. Through the S.106 agreement and variation, the scheme also complies generally with the policy's detailed site requirements and development guidelines, including those relating to controls on the size and cost of market

stalls, provision for a temporary market, small retail units, and enhancements to the public realm.

320. The Order scheme also aligns closely with the aims of other relevant TAAP Policies, including AAP2 and SS1, in that it would take a comprehensive approach to development, and assist in promoting the regeneration of the Seven Sisters and West Green Road district centre **[56-57, 97-98]**.
321. In relation to the adopted HSP and HSPA, the proposed development is fully consistent with the aims of Policy SP1, to promote major developments in the Seven Sisters and Tottenham High Road AOCs **[53]**, and of Policy SP10, to strengthen and reinvigorate the District and Town Centres **[55]**. The scheme also accords with these plans' site-specific aspirations for a landmark development at the Wards Corner site, and a gateway to the South Tottenham area **[54]**.
322. With regard to the adopted LPCA, the Order scheme is consistent with Policy 2.13, in helping to realise growth in the Upper Lee Valley Opportunity Area, and assisting regeneration in the Tottenham Corridor **[47-48]**. Equally it accords with the aims of Policy 2.14 for co-ordinated renewal in the Regeneration Areas **[49]**, and those of Policies 2.6 and 2.7 for promoting the economic potential of Outer London **[51, 100]**. The scheme would also bring forward a significant amount of new housing, contributing to the targets set in Policy 3.3, and would do so in a District Centre location with good public transport, in conformity with Policy 2.7's locational principles **[51, 52, 99]**.
323. The Order scheme would also enhance the District Centre's quality, diversity, competitiveness and environment, in a way that would closely match the aims of LPCA Policy 2.15, and support the city's retail sector in accordance with Policy 4.8 **[50, 100]**. Having regard to Policy 3.1, which seeks to protect 'facilities and services that meet the needs of particular groups and communities', the scheme would adequately safeguard the Seven Sisters Market.
324. In all these respects, the Order scheme accords with the most relevant Development Plan policies, including those that are site-specific, or area-specific, or targeted at proposals of this type. As such, the scheme would assist in bringing forward the types of development that the adopted planning framework seeks positively to promote and encourage.

Affordable housing

325. As some of the objectors point out, LPCA Policy 3.12 seeks the maximum reasonable amount of affordable housing, which is normally to be provided on-site, and HSPA Policy SP2 sets a Borough target of 40% **[170, 173]**. The Order scheme does not propose to meet these requirements. However, Policy 3.12 also allows the circumstances of specific sites to be taken into account, and acknowledges that the aim is to encourage rather than restrain housing development. It also allows for off-site contributions in exceptional circumstances, where this would have demonstrable benefits.
326. In the case of the Order scheme, the costs of development are likely to be higher than normal. This is mainly because of the need to protect the underground railway infrastructure, and to avoid any interruption to services during construction **[24]**, and also because of the costs of providing the

temporary market and the relocation package for the traders. The viability evidence shows a profit of around 15 – 16%, which is just enough to enable the scheme to go ahead, but this is only achievable without any affordable housing [99, 116-117]. However, there is provision for a financial contribution if the profit level significantly exceeds this projection [40].

327. In view of the importance of the Wards Corner site to the Council's regeneration programme, it seems to me that the Order scheme is an exceptional case. Although the scheme does not comply with Policy SP2, that policy has to be viewed alongside Policy 3.12, which allows some latitude. From the evidence available, it is difficult to see in this case how any on-site provision could be delivered, or how the profit-related off-site contribution could be significantly increased. The proposed contribution does therefore represent the 'maximum reasonable' provision that could realistically be made.
328. In the circumstances, I conclude that in this case relatively little weight should be given to Policy SP2, and greater weight to Policy 3.12, with which the proposed scheme does not conflict.

Other policies

329. None of the other policy documents that the Council refers to are part of the Development Plan. However, it is notable that the Wards Corner site and Seven Sisters area have been identified for major development, in the Wards Corner Development Brief, the HUDP, the Plan for Tottenham, the ULVPF, the TPDF, and the TSRF, over a period of more than 13 years [59-70].
330. I note the contents of 'A City for All Londoners' [174], but that document does not form part of the development plan, nor is it an emerging plan, nor does it have any status as planning policy.

Conclusion on policy compliance

331. I conclude that the Order scheme accords with the area's adopted planning policy framework.

Viability and freedom from impediments

332. Planning permission for the Order scheme already exists [32], and a lawful start has been confirmed by the Council [44].
333. The scheme's financial viability is demonstrated in Mr Fourt's evidence, and has not been subject to any serious challenge [116, 117].
334. The developer has provided evidence of their financial capability to carry out the development, and as to the commercial demand from end-users and occupiers [118-120]. This again is not challenged.
335. The development agreement between Grainger's and the Council requires the fulfilment of a number of preconditions. With the completion of Grainger's separate agreement with LUL, the position now is that all of these preconditions either have been, or clearly can be satisfied [27, 121]. Again this position is unchallenged.
336. I therefore conclude that the Order scheme is viable and free from any legal or other impediments to implementation.

The need to use compulsory powers

337. Out of the 28 plots on the Order Map, by the close of the inquiry, the Council and Grainger had secured the freehold interests in 20 plots, and two more were conditionally secured in the agreement between Grainger and LUL [71-72]. A further four plots were reported to be proceeding towards an exchange of contracts on agreed terms [73]. This would leave only two freeholds still to be agreed [74, 124].
338. It is not beyond the realms of possibility that these remaining freehold interests could be secured without the use of compulsory purchase powers. But the evidence of Mr Walker shows that the development partners have made substantial and sustained efforts to come to agreement with these owners²⁶⁹. In one of these cases (Plot 13) it appears it has proved impossible to agree terms²⁷⁰, and in the other (Plot 12) there has been little or no engagement on the part of the property's owner²⁷¹. The owner of Plot 13 is an objector to the Order²⁷².
339. In addition, it is not yet certain that the four freeholds on which terms were reported to have been agreed [73], will necessarily proceed to completion. In three of these cases, objections to the Order remain before the inquiry²⁷³.
340. Furthermore, at the close of the inquiry, five commercial and residential leases remained to be acquired [75, 124]. Of these, two are the subject of objections which have not been withdrawn²⁷⁴. Mr Walker's evidence again records details of the efforts made to treat with these leaseholders²⁷⁵. In one case, terms had been agreed, but not yet concluded.
341. The Council does not consider it necessary to acquire any interests which are only of a short-term nature, including Market licences and assured shorthold residential tenancies, since these can be allowed to expire without delaying the development [270].
342. I conclude from this information that, although the Council and their partners have used all reasonable endeavours to acquire the freehold and leasehold interests in the Order site by negotiation and agreement, a number of interests remain outstanding. There is no certainty that these can be acquired in a reasonable timescale without compulsion.
343. Consequently, if the Order is found to be justified on its other merits, the need for the use of compulsory acquisition powers has been sufficiently demonstrated.

²⁶⁹ APP/6/1 (Mr Walker's proof, paras 6.42 – 6.46); and APP/6/2, Appx D, Communications schedule

²⁷⁰ Plot 13 – No 16 Suffield Road

²⁷¹ Plot 12 – No 14 Suffield Road

²⁷² Obj. No 14 – Mr Hussain

²⁷³ Plot 9 (8 Suffield Rd) – Obj. 20, Mr Ludmir; Plot 22 (9-11 W Green Rd) – Obj. 2, K&S Patel; and Plot 23 (3-7 W Green Rd) – Obj. 21, P Sukamran

²⁷⁴ Plot 23 (3-7 W Green Rd) – Obj.5, Sainsbury's; and Plot 26 (255-259 High Rd) – Obj 6, Beauty Power, and Obj. 16 S Afgan

²⁷⁵ APP/6/1 (Mr Walker's proof, paras 6.25-26, 6.30, 6.34, 6.61 and 6.71-74); and APP/6/2, Appx D, Communications schedule

Whether the Order's purposes could be achieved by other means

344. Only one alternative to the Council's Order scheme has been identified. That is the WCCC's community-led alternative proposal [76-78, 222-226, 229, 237]. The WCCC scheme received planning permission in 2014, but the permission has now lapsed. The development permitted in that scheme sought to retain and restore the former Wards buildings, but did not include any other part of the Order site. The scheme did not propose any residential accommodation. The WCCC had, and still has, no legal interest in the land.
345. At the present inquiry, WCCC has not produced any quantified evidence or costings to support their claim that their scheme could be made financially viable. The Council's evidence suggests that it is not [125]. The offer of support from Mr Murillo [178, 225] is not substantiated, and thus carries very little weight.
346. WCCC has expressed willingness to become involved in taking their proposals further, beyond the Wards buildings, but there is no detail as to how this would be achieved. Although WCCC has demonstrated great commitment in the past, it is difficult to envisage how the group could muster the resources and expertise needed to turn their plans, however attractive on paper, into reality. No other party with those resources and expertise has shown any willingness to take the WCCC's ideas forward.
347. For the reasons explained elsewhere in this report, I have accepted that the Council's regeneration strategy for the Borough depends on a major redevelopment scheme taking place at Seven Sisters, which may then encourage further renewal elsewhere in South Tottenham. At present, there is no credible alternative to the Order scheme to deliver the next stage in this strategy.

Human rights, equality and children

Article 8: respect for private and family life, home and correspondence

348. About 14 properties within the Order site contain residential accommodation that was occupied at the date when the Order was made²⁷⁶. The number that remain occupied now is not known, because some have since left. The confirmation of the Order would mean that any residents of these properties who are still in occupation when that decision is made would lose their homes. As the Council acknowledges [269], this would be a serious interference with their rights under Article 8 of the ECHR, which guarantees respect for private and family life and the home.
349. The Council has acknowledged its duty to assist with rehousing where necessary, and has given assurances to this effect at the inquiry [281-282]. This might help to avoid hardship in some cases, but does not change the fact that human rights would be infringed.
350. Only two of the objections to the Order are from occupiers who were still in residential occupation at the date of the inquiry. These are Objections No 13,

²⁷⁶ Based on Mr Walker's proof (APP/6/1), paras 6.23 – 6.78

by Prathibha Sreenivasan, and No 14, by Mr Hussain [249-251, 252]. Neither of these raises issues of serious personal hardship, and indeed one relates to compensation only. However, the interference with Article 8 rights would potentially affect equally all those others who remain in occupation until the Order's confirmation, whether they have objected or not.

351. In the case of those residential occupiers who have now left, any interference with their rights has already occurred, and so would not be directly affected by a decision to confirm the Order. The same would apply to any who have not yet left but might do so before the Order is confirmed. The first of these groups would include Mr Haverty-Stacke [8, 9, 209, 281-288]. Mr Haverty-Stacke has evidently suffered a good deal of personal hardship, and that hardship has resulted from the making of the Order. The Council's error in failing to notify him at an important stage may also have contributed. However, the property which included his flat has now been acquired, by agreement with the freeholder, and that change of ownership is therefore not dependent on the Order being confirmed. Even in the event of a decision that the Order be not confirmed, Mr Haverty-Stacke appears to have no further rights in respect of his former home, and there is nothing to suggest that he would be able to return to it. The position of other occupiers who have already left is likely to be similar. I note that the Council is now seeking to rehouse Mr Haverty-Stacke elsewhere.
352. With regard to the application of Article 8 to the Market, I note the arguments made by the Traders [184-185], including the *Niemietz* case. However, the situation here is rather different. It seems to me that the main focus of 'private and family life' will normally be the home. I accept that some traders' family lives may spill over into their working lives at the Market, and many will also form social friendships there. But even so, a market is primarily a place for buying and selling goods. In terms of the Traders' private and family lives as a whole, the social interactions that occur at their place of work are likely to be secondary to those that take place at home. It follows that development affecting the Market would not interfere, to any significant degree, with anyone's private or family life. Article 8 rights are therefore not engaged in respect of the Market [269].

Article 1 of Protocol 1: peaceful enjoyment of possessions

353. As with any use of compulsory purchase powers, the Order would deprive some owners of their property interests in the Order lands. In the present case, as noted earlier in these conclusions [337-340], the number of outstanding interests has been reduced by negotiation, and now stands at between 2 to 6 freeholds (depending on whether all of those on which terms have now been agreed proceed to completion) and 5 leases [71-75, 124]. In each of these cases, the confirmation of the Order would interfere with the owners' and leaseholders' rights under Article 1 of ECHR Protocol 1.
354. However, compensation would be payable for these property interests in accordance with the statutory code, together with business disturbance costs in appropriate cases. Six of these 11 interests are the subject of remaining objections [338-340], although none was pursued further at the inquiry. None of these objections raises any matters that do not appear capable of being dealt with through the financial compensation available.

355. In the case of the Market Traders, it is common ground that their licences are terminable at short notice, without any need for acquisition. The Council has made clear that, irrespective of the Order, it does not intend to acquire these short-term interests, either compulsorily or otherwise [270, 341]. The confirmation of the Order would therefore not involve any interference with the Traders' rights under Article 1. It follows that in respect of their interests, Article 1 rights are not engaged.

Article 14: discrimination in the exercise of other EHCR rights

356. ECHR Article 14 establishes a right to freedom from discrimination, in relation to the enjoyment of the other rights granted by the Convention. In this case, I have found interference with the Article 8 and Article 1 rights of residential occupiers and the owners of freehold or leasehold interests only. There is no suggestion by any party that discrimination issues arise in relation to any of these cases.

357. In the case of the Traders, I have found that Article 8 and Article 1 are not engaged. Article 14 therefore cannot apply, and has no bearing on the outcome of their objections.

The Public Sector Equality Duty

358. Section 149 of the Equality Act 2010 requires due regard to be paid the need to eliminate discrimination and to advance equality of opportunity, which includes minimising disadvantage, and taking steps to meet the needs of people with protected characteristics [188-190]. The Market Traders, by virtue of their ethnicity, belong to a group who possess such a characteristic [163]. In so far as the Market is concerned, the effects of the proposed development would fall to a greater extent on them than on others who do not share that protected characteristic. Consequently, if those effects are judged to be adverse, they could give rise to indirect discrimination.

359. If it were proposed that the Market be demolished and not replaced, then there is no doubt that for the Traders the consequences would be seriously disadvantageous. However, that is not what is proposed in the Order scheme. Instead, the scheme proposes to replace the existing market with a new facility, on almost the same site, with provision for the existing traders to transfer to it.

360. There is no doubt that the Traders would face challenges and uncertainties. They would have the upheaval of moving, not once but twice, because of the need to decant first. They would lose the benefit of their rent-free mezzanine extensions and other unauthorised encroachments [156]. The new market would take time to become personalised in the manner of the existing. But sooner or later these issues have to be faced anyway, because the existing building is reaching the stage where it cannot realistically continue without major renovations [102, 103]. There is no credible alternative plan that would leave the Market unaffected.

361. In addition, the Order scheme seeks to mitigate these difficulties for Traders, through the S.106 package. Amongst other things, this includes the provision of the temporary market, the existing traders' right to a stall, relocation costs, discounted and controlled rents for an initial period, one-to-one support

through a facilitator, and consultation over detailed matters like the internal layout and individual stall positions **[39, 40, 268]**. These measures are proposed specifically to help smooth the transition. They do not go as far as those proposed by the Traders themselves **[160]**, that does not mean that they would not be effective in helping the Traders to manage this process. Through these S.106 provisions, it seems to me that the Order scheme would minimise any residual disadvantage suffered by the Traders, and would include reasonable steps to meet their needs, thus advancing equality of opportunity.

362. Even with the proposed discounts and controls, the rents for most types of units would be higher than those charged at present **[106, 107, 150-153]**. But in return, in both the temporary and permanent new markets, traders would have the benefits of a modern building, with better access and circulation, improved public visibility, and the opportunity to create a more welcoming environment for customers **[104]**. Once the new development is fully complete, the Market would also benefit from the increased footfall generated by the other new retail units adjacent, and from the presence of a greatly increased resident population on the site itself. These changes would significantly enhance the retail environment both internally and externally.
363. The effects on the Traders would therefore include some potential advantages as well as disadvantages. Certainly there is a possibility that some might be made worse off overall, and I fully understand that the risk of such an outcome may be unwelcome. But this risk has to be viewed in the context of the Traders' existing position, which is also far from risk-free, given their lack of security of tenure beyond the notice period of their Market licences **[109, 270]**. The Traders operate in the commercial world, and even without the proposed development, nothing protects them against the possibility of rising rents, or the withdrawal of licences, or the Market's complete closure. The poor condition of the building adds to this insecurity **[102, 103]**. Whereas, in the Order scheme, the S.106 provisions would provide more certainty and security at least for the first few years, and the long-term worry about the building itself would be removed.
364. Overall therefore, it seems to me that the Order scheme would not leave the Traders materially worse off than they are now. The magnitude of the challenges and uncertainties facing them would be significant, but realistically no more so than those facing them in any event. Comparing the two scenarios, with and without the development, there is no clear evidence that the latter would be to the Traders' detriment. It follows therefore that the question of discrimination, indirect or otherwise, does not arise.
365. With regard to the effects on women **[165, 272]**, the same conclusions apply. The Traders would not suffer detriment to their overall position, so despite the fact that the majority are female, the confirmation of the Order would not give rise to discrimination against that protected group.
366. In coming to these conclusions, I have taken account of the various EqIAs commissioned by the Council **[126-132, 189]**. These are noted but are not determinative. In the present inquiry a great deal of evidence has been brought forward that was not available to the authors of those reports. I am satisfied that I have sufficient information on these matters on which to base my recommendation.

367. On this issue I conclude that the confirmation of the Order would not conflict with the SoS's duty under the PSED.

Minority rights under international law

368. I have had regard to the submissions of the Traders and the Council regarding the relevance of international legislation, including the ICCPR, the ICERD, and the FCPNM [195-200, 207, 278]. I take no view as to whether these provisions are binding directly on the Council or the SoS in the absence of specific domestic legislation.
369. Some of the considerations that arise under this heading overlap with matters that I have already covered elsewhere in my report. In this respect, my findings regarding the Order's effects on the Market [302-306], and on the Traders [358-363] are equally relevant here, but need not be repeated. In view of these earlier findings, it is not necessary for me to deal further with all of the submissions made in relation to international law.
370. The principal additional matter which is not covered elsewhere, is the right that is claimed under ICCPR Article 27, for ethnic and other minority groups to practise their own culture, language and religion. In the present case the Market is seen by the Traders as a place where they and their families, and other members of the Latin American community, can exercise these rights [138, 203, 215, 230]. However, to my mind, if the existing market is able to perform this role as a social and cultural hub, there seems no reason why the same role could not also be played by the new one. In practical terms, that might depend on the management arrangements entered into with the building's owners and the market operator, but those are matters outside the scope of this inquiry. The confirmation of the Order would therefore not preclude the continuation of the current informal arrangements relating to Latin American culture.
371. But in any event, even if for some reason the new market failed to materialise, or the Latin American community were unable to use it for the pursuit of their culture and traditions, it would not be right to represent that situation as denying anyone the right to continue those activities. The loss of one particular venue, were that to happen, cannot be equated with a general prohibition of those activities. Nothing in the Order would prevent the community in question from practising their culture elsewhere. Even in the worst case scenario therefore, the confirmation of the Order would not deny the protected minority its rights under the ICCPR.

Best interests of Children

372. Where children are likely to be affected, their best interests must be a primary consideration. In the present case, if the new Market were to fail, or did not allow for the old Market's social and cultural role to be continued, then the children of Latin American families would lose an opportunity for mixing with other children and adults from similar ethnic backgrounds [166, 191-194, 203]. But there is no evidence that as a result of that lost opportunity the children would suffer any material harm [275]. In this respect, the views of children themselves cannot realistically be conclusive [203, 277]. Consequently, even in

the scenario suggested above, I find no clear evidence that the effects on children would be such as to significantly affect their best interests.

373. In any event, for the reasons that I have already given elsewhere, I do not consider that these worst-case impacts would be likely to occur, nor that the confirmation of the Order would make a material difference to their likelihood.
374. I agree with the Council that there is no evidence that the interests of the children involved are in any way different from those of their parents or the Latin American community generally. I also concur that the Council cannot be faulted for failing to identify the impact on children as a significant issue, since children are not central to the functions of a retail market [276].
375. I therefore find nothing of any substance in the objectors' arguments based on the impacts on children.

Compelling justification

376. For the reasons set out above, I have found that the Order scheme for the Wards Corner site is an integral part of the Council's regeneration strategy for Tottenham, and for the Borough as a whole. In this context, the proposed development would have the potential to assist in spreading the benefits of the Council's regeneration initiatives more widely, and would act as a catalyst for renewal elsewhere around Seven Sisters and in adjoining areas throughout South Tottenham [290-295]. Such renewal and regeneration has been shown to be badly needed, in the public interest.
377. I have also found that the Order scheme would positively advance the area's economic, social and environmental well-being [296-317], and would accord with the main relevant provisions of the Development Plan [318-331]. As far as I can tell, the scheme is financially viable, achievable, and free from any legal or other impediments [332-336]. Although good progress has been made on acquiring the necessary property interests by agreement, there remain some which are unlikely to be acquired without the use of compulsory purchase powers [337-343]. There is no credible alternative plan that could deliver the same benefits as the Order scheme [344-347]. Together, all these considerations carry very substantial weight in favour of confirming the Order.
378. The remaining residential occupiers at up to 14 properties within the Order site would lose their homes, and thus suffer a serious interference with their rights under Article 8 to respect for private and family life. Two of these remaining occupiers have made objections to the Order [348-351]. In addition, up to 6 freehold²⁷⁷ and 5 leasehold interests would be compulsorily acquired, and this would be an interference with those owners' Article 1 rights to the peaceful enjoyment of their possessions. Six of these owners have objected to the Order [353-354]. Although none of these objections has been followed up at the inquiry, and in all cases the owners would be compensated, the confirmation of the Order would deprive these owners of their property against their will, and thus would breach their human rights. These considerations weigh against the Order.

²⁷⁷ These six plots include four on which the freeholders have reportedly agreed terms [73]

379. The Market Traders would not suffer any interference with their rights under either Article 8 or Article 1 [352, 355]. No persons would suffer discrimination under Article 14 [356-357], nor a violation of any rights in respect of minority status [368-371]. Confirmation of the Order would also not involve any failure of the SoS's duties in respect of equality [358-367] or the best interests of children [372-375]. These considerations therefore carry neutral weight in the balance.
380. There is no evidence that the public benefits of the Order scheme, in terms of the continued regeneration of the Tottenham area, could be achieved by any other means, or with any lesser degree of interference with human rights. I am therefore satisfied that the intervention that is now proposed is the minimum necessary to deliver those benefits.
381. Taking all of these factors into account, whilst any infringement of human rights is a matter for regret, in this case the public benefits accruing from the Order scheme are substantial enough to outweigh the loss of private rights. As such, the infringement would be proportionate to the public benefits, and thus would be justified.
382. I conclude that a compelling case for the confirmation of the Order, in the public interest, has been demonstrated.

Overall conclusion

383. In the light of the above, I conclude that the Order should now be confirmed, as set out in my Formal Recommendation, below.
384. My recommendation is subject to the need for certain minor modifications to the Schedule of Interests, for the reasons set out earlier in this report [9, 10].

FORMAL RECOMMENDATION

385. For the reasons set out in this report, I recommend that the Order be confirmed, subject to the modifications set out in the attached Schedule.

John Felgate

INSPECTOR

INSPECTOR'S SCHEDULE OF RECOMMENDED MODIFICATIONS

THE LONDON BOROUGH OF HARINGEY (WARDS CORNER REGENERATION PROJECT) COMPULSORY PURCHASE ORDER 2016

Modification 1

In the Schedule of Interests, for Plot No 26:

- In Column 2, add reference to Nos 257C and 257D High Road, so that the amended description reads:

"All interests, other than those of the acquiring authority, in 575 square metres of retail premises known as 255 to 259 (odds) High Road, residential premises known as 255A, 255B, 257A, 257B, 257C, and 257D High Road, and half width of highway known as West Green Road and part width of highway known as High Road, London N15 5BT"

- In Column 3, under the heading 'Tenants or reputed Tenants', at end of entry, add:

*Emmett Haverty-Stacke, 257C High Road, London N15 5BT;
Sean Taylor, 257D High Road, London N15 5BT*

- In Column 3, under the heading 'Occupiers', between the entries for Rawda Ismael and London Borough of Haringey, add:

*Emmett Haverty-Stacke, 257C High Road, London N15 5BT;
Sean Taylor, 257D High Road, London N15 5BT*

Modification 2

In the Schedule of Interests, for Plot No 28:

- In Column 2, amend description to read:

"All interests in 2280 square metres of retail premises known as Seven Sisters Market, 227 to 249 (odds) High Road, premises partly in residential and retail use at first and second floors, and part width of highway known as High Road and part width of highway known as Seven Sisters Road, London N15 5BT"

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr Timothy Corner QC, assisted by:
Mr Andrew Tabachnik QC,
Mr Andrew Byass of Counsel, and
Ms Rosie Scott of Counsel

Instructed by Mr Bernie Ryan, Assistant
Director of Corporate Governance

Who called:

Ms Lyn Garner, IRRV	Strategic Director of Regeneration, Planning & Development
Mr Andrew Beharrell MA, DipArch, RIBA	Pollard Thomas Edwards
Ms Suzanne Johnson MRTPI	Head of Area Regeneration
Mr Jonathan Kiddle MSc, MRICS	Grainger plc
Mr David Lewis BArch, MA, RIBA	David Lewis Associates
Mr Stephen Walker MRICS	CBRE
Mr Robert Fourt BSc(Hons), MSc, FRICS	Gerald Eve
Mr Gary Saunders	Saunders Markets Limited

FOR THE SEVEN SISTERS MARKET TRADERS' GROUP:

Ms Monica Feria-Tinta of Counsel,
assisted by:
Mr Tom Leary of Counsel
Mr Alistair Wooder of Counsel

Instructed by 35 Seven Sisters Market
Traders
(on behalf of Objections Nos 1, 8, 22, 25,
35, 36, 192-205, and 206-226)

Who called:

Mr Carlos Burgos	Pedro Achata Trust
Prof. Michael Edwards	Bartlett School of Planning, UCL (Objection No 36)
Ms Myfanwy Taylor	Department of Geography, UCL (Objection No 35)
Mr Martin Ball	Local resident
Ms Lucy Claridge	Minority Rights Group International
Prof. Alexandra Xanthaki	Brunel University, London, and the Institute of Advanced Legal Studies
Ms Martha Giraldo Sanchez	Market trader
Mr Daniel Martinez	Market trader
Ms Marta Hinestroza	Market trader (Objection No 1)
Mr Manuel Pelaez	Market trader
Mr Diego Alvarez	Market trader
Ms Lita Kaguawajigashi	Market trader
Ms Maria Osorio	Market trader
Mr Fernando Esguerra	Market trader
Ms Stephania Alvarez	Daughter of market trader

OTHER OBJECTORS:

Dr Patria Román-Valazquez	Objection 26
Dr Sara Gonzalez	Objection 41
Ms Abigail Stevenson	Objection 143
Ms Mirca Morera	Objection 30
Mr Emmet Haverty-Stacke	Objection 108
Mr Colin Hobbs	Objection 159
Ms Shirley Hanazawa	Objection 151
Ms Pam Isherwood	Objections 167 (Page Green Residents' Association) and 155
Ms Sue Penny	Objection 42 (Clyde Area Residents' Association)

OTHER INTERESTED PERSONS:

Ms Tina Dickson	Supporting the Order
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LIST OF INQUIRY DOCUMENTS

A. CORE DOCUMENTS

CD1: Legislation and National Guidance

CD1/1	Town and Country Planning Act 1990: Section 226(1) (a) and Section 247
CD1/2	Planning and Compulsory Purchase Act 2004: Section 99
CD1/3	Compulsory Purchase (Inquiries Procedure) Rules 2007
CD1/4	Acquisition of Land Act 1981: Section 12, Section 16
CD1/5	Local Government (Miscellaneous Provisions) Act 1976: Section 13, S.16
CD1/6	Housing Act 1985: Section 32-34 and Section 105
CD1/7	Localism Act 2011: Chapter 3
CD1/8	'Guidance on the compulsory purchase process, and the Crichel Down Rules' (DCLG, :29 October 2015)
CD1/9	NPPF extracts

CD2: Planning Policies and Supplementary Guidance

CD2/.1	(re-numbered – now CD1/8)
CD2/2	The London Plan (Consolidated with Alterations), March 2016
CD2/3	Wards Corner/Seven Sisters Underground Development Brief (January 2004)
CD2/4	Haringey Strategic Policies, adopted March 2103 (extracts)
CD2/5	Tottenham Area Action Plan - Pre-submission draft, Jan 2016
CD2/6	Upper Lee Valley Opportunity Area Planning Framework, Mayor of London, July 2013
CD2/7	Haringey UDP, adopted July 2006 - Saved Policies, March 2013 (extracts)
CD2/8	(re-numbered – now CD1/9)
CD2/9	London SPG: Shaping Neighbourhoods: Play and Informal Recreation - GLA Sept 2012
CD2/10	London SPG: Town Centres - Mayor of London July 2014
CD2/11	Draft London SPG: Culture and the Night Time Economy - London Mayor, April 2017
CD2/12	(re-numbered – now CD11/19)
CD2/13	Seven Sisters/ Page Green Conservation Area Appraisal and Management Plan - Consultation Draft, 2016
CD2/13A	Seven Sisters/ Page Green Conservation Area Appraisal and Management Plan - Adopted June 2017
CD2/14 and CD2/15	re-numbered - now CD 11/17 and 11/18
CD2/16	Tottenham High Road Historic Corridor Character Appraisal, March 2009
CD2/17	Development Management DPD - pre-submission draft, January 2016
CD2/18	Strategic Policies Alterations - pre-submission draft, January 2016
CD2/19	London SPG: Children and Young People's Play and Informal Recreation, March 2008
CD2/20	(re-numbered – now CD11/20)
CD2/21	Local Plan Inspector's Report on: the Alterations to Strategic Policies, the Site Allocations DPD, the Tottenham AAP, and the Development Management DPD; dated 28 April 2017
CD2/22	Appendices A, C and D to the Local Plan Inspector's Report: Schedules of Modifications
CD2/23	Cabinet report of June 2017, to Full Council meeting on 24 July 2017: re Local Plan adoption
CD2/24	Tottenham Area Action Plan - as adopted, July 2017

CD3: The 2008 Planning Application and Court Judgements

- CD3/1** Planning permission notice HGY/2008/0303, granted 24 Dec 2008; and S. 106 Agreement
- CD3/2** High Court Judgement [2009] EWHC 2329 (Admin), dated 14 July 2009
- CD3/3** Court of Appeal Judgement [2010] EWCA Civ 703, dated 22 June 2010
- CD3/4** Planning refusal notice (redetermination) dated 03/08/2011
- CD3/5** (re-numbered – now CD4/3B)

CD4: The 2012 Planning Permission and Related Documents:

- CD4/1** Development Agreement dated 3 Aug 2007; and Supplemental Agreement dated 23 Jan 2015
- CD4/2** Planning Committee Report of 25 June 2012 (with appendices, including updated Equality Impact report by URS Scott Wilson, June 2012)
- CD4/2A** Minutes of the Planning Sub-Committee of 25 June 2012
- CD4/3** Planning Permission HGY/2012/0915, dated 12 July 2012
- CD4/3A** Conservation Area Consent HGY/2012/0921, dated 12 July 2012
- CD4/3B** Court of Appeal Order, dated 28 August 2013 (refusing permission to seek judicial review)
- CD4/4 - 10** Survey Plans
- CD4/11** Existing site plan
- CD4/12 - 21** Proposed scheme - floor and roof plans
- CD4/22 - 24** Proposed scheme - elevations
- CD4/25 - 26** Proposed scheme - cross-sections
- CD4/27** Proposed scheme - kiosk details
- CD4/28** Section 106 Agreement dated 11 July 2012
- CD4/29** Equality Impact Assessment - Cluttons, December 2010
- CD4/30** Equality Impact Assessment - URS Scott Wilson, June 2011
- CD4/31** Viability Assessment - DVS, 22 June 2012
- CD4/32** Building Retention Viability report - ASP, June 2012
- CD4/33** Economic Benefits Analysis - GL Hearn, May 2012
- CD4/34** re-numbered – now CD4/3A
- CD4/35** re-numbered – now CD5/5
- CD4/36 and 37** re-numbered – now CD5/5 and 5/6
- CD4/37** Certificate of Lawfulness HGY/2017/0861, dated 5 May 2017
- CD4/38** Draft Deed of Variation, dated 23 June 2017
- CD4/38A** 2nd Draft Deed of Variation, dated 14 July 2017
- CD4/38B** 2nd Draft Deed of Variation, dated 14 July 2017 (tracked changes version)
- CD4/38C** Deed of Variation, executed 25 July 2017
- CD4/38D** Deed of Variation, executed 25 July 2017 (tracked changes version)
- CD4/39** Stopping-up Order – Suffield Road, dated 26 January 2017; and related notice

CD5: Compulsory Purchase Order Reports

- CD5/1** Equality Impact Assessment for CPO - AECOM, October 2015
- CD5/2** Cabinet Report and Minutes - re Wards Corner CPO, 15 July 2014
- CD5/3** Cabinet Report and Minutes - re Wards Corner CPO, 10 November 2015
- CD5/4** Equality Impact Assessment - AECOM, updated June 2017
- CD5/5** Community Engagement Strategy report, GL Hearn, Feb 2016
- CD5/6** Diversity Monitoring Baseline Study, GL Hearn, March 2017

- CD5/7** Economic Benefits Assessment - Nathaniel Lichfield & Ptnrs, Oct 2015
- CD5/8** Economic Benefits Assessment Update - Nathaniel Lichfield & Ptnrs, Jan 2017
- CD5/9** CPO Viability Review - DVS, June 2017

CD6: Compulsory Purchase Order documents

- CD6/1** CPO Public Notice dated 22 September 2016
- CD6/2** CPO Plan dated 14 September 2016
- CD6/3** Statement of Reasons dated 14 September 2016, and Appendices

CD6a: Objections to the CPO (received October 2016)

- CD6/4 (1)** Objections to the CPO, Nos Obj.001 to Obj.059
- CD6/4 (2)** Objections to the CPO, Nos Obj.060 to Obj.167

CD7 Statements of Case (Feb – June 2016)

- CD7/1** London Borough of Haringey's Statement of Case and Appendices, Feb 2017
- CD7/2** London Underground Limited's Statement of Case dated April 2017
- CD7/3** Airmoss Limited's Statement of Case
- CD7/4** Seven Sisters Market Traders' Statement of Case dated 2 May 2017
- CD7/5** Wards Corner Community Coalition - Statement 1
- CD7/6** Wards Corner Community Coalition - Statement 2
- CD7/7** SAVE Britain's Heritage's Statement of Case, June 2017

CD8: Apex House Redevelopment Documents

- CD8/1** Planning Sub-Committee Report, 09 May 2016
- CD8/2** Planning Sub-Committee Addendum Report, 09 May 2016
- CD8/3** Planning Permission HGY/2015/2915, dated 29 June 2016
- CD8/4 - 63** Apex House site redevelopment plans
- CD8/64** Non-material amendment HGY/2016/4103 Officer Report
- CD8/65** Non-material amendment HGY/2016/4103 Decision Notice dated 18/01/2017
- CD8/66** Non-material amendment HGY/2017/0478 Officer Report
- CD8/67** Non-material amendment HGY/2017/0478 Decision Notice dated 04/04/2017

CD9: The Alternative Scheme by Wards Corner Community Coalition

- CD9/1** Officers' delegated report 7 April 2014
- CD9/2** Planning permission HGY/2014/0575, dated 25 April 2014
- CD9/3 - 14** Plans - Wards Corner Community Coalition scheme
- CD9/15** Design and Access Statement - Community Coalition scheme

CD10: Strategic Regeneration Documents

- CD10/1** Citizens' Inquiry into the Tottenham Riots, 2012
- CD10/2** 'It Took Another Riot' - report of the Mayor's Independent Panel, Dec 2012
- CD10/3** A Plan for Tottenham, 2012
- CD10/4** Tottenham Physical Development Framework – ARUP, March 2014
- CD10/5** Tottenham's Future, March 2014 ('Soundings')
- CD10/6** Tottenham Strategic Regeneration Framework, March 2014
- CD10/7** Tottenham Strategic Regeneration Framework: Delivery Plan Update 2016

CD11: Miscellaneous

CD11/1 and CD11/2 renumbered – now CD5/7 and 5/8

- CD11/3** 2012 Market and Shop Business Survey - Questionnaire
- CD11/4** 2012 Market and Shop Business Survey - Results
- CD11/5** 2012 Market and Shop Business Survey - Site Visits
- CD11/6** Seven Sisters Market Report - by 'Urban Space Management', May 2008
- CD11/7** Tottenham Retail Strategy - Jones Lang LaSalle, August 2012
- CD11/8** Haringey Retail and Town Centres Study - Nat Lichfield and Ptnrs, Apr 2013
- CD11/9** LBH Authority Monitoring report 2015/16
- CD11/10** Town Centre Health Check for Haringey - GLA, January 2016

- CD11/11** Cabinet Report 17 Dec 2012 - HMO Licensing Scheme
- CD11/12** Haringey Urban Character Study, Feb 2015
- CD11/13 (re-numbered – now CD2/21 and 2/22)
- CD11/14** Tottenham Retail Impact Assessment - Bilfinger GVA, Feb 2016
- CD11/15** LBH List of Assets of Community Value, April 2017
- CD11/16 (re-numbered – now CD5/9)
- CD11/17** LBH Corporate Plan 2015-18
- CD11/18** LBH Housing Strategy 2017-2022
- CD11/19** LBH Economic Development and Growth Strategy, 2014
- CD11/20** LBH Economic Development and Growth Strategy (updated), 2015

CD12: Additional Core Documents Submitted by Objectors

- CD12/1** Chapman v United Kingdom: ECHR judgement, 18 Jan 2001
- CD12/2** Lansman et al v Finland: UN Human Rights Committee, 8 Nov 1994
- CD12/3** UN Committee on the Elimination of Racial Discrimination - '*General Recommendation No.32: The meaning and scope of special measures in the International Convention on the Elimination of All Forms of Racial Discrimination*', 24 Sept 2009
- CD12/4** UN Office of the High Commissioner for Human Rights - '*CCPR General Comment No.23: Article 27 (Rights of Minorities)*', 8 April 1994

- CD12/5** '*The Case for London's Latin Quarter: Retention, Growth, Sustainability*' - P. Roman-Velasquez and N. Hill
- CD12/6** '*Latin Americans in London: Claims over the identity of place as destination*' - P. Roman-Velasquez
- CD12/7** '*Claiming a place in the global city: urban regeneration and Latin American spaces in London*' -P. Roman-Velasquez
- CD12/8** '*No longer Invisible: The Latin American Community in London*' - C McIlwaine, J C Cock and B Linneker
- CD12/9** '*Towards Visibility: The Latin American Community in London*' - C McIlwaine and D Bunge
- CD12/10** '*A City for all Londoners*' – Mayor of London, October 2016
- CD12/11 (re-numbered – now CD 2/2)

- CD12/12** The Planning (Listed Buildings and Conservation Areas) Act 1990 - S.72
- CD12/13** Assets of Community Value (England) Regulations 2012
- CD12/14** Human Rights Act 1998: Chapter 42 and Schedules 1-4
- CD12/15** International Covenant on Civil and Political Rights

- CD12/16** The London Plan 2016 (extract: Policy 7.9B)
- CD12/17** 'The Outlook and Risks for London's Economy' - London Plan evidence base
- CD12/18** NPPF extract: paragraph 8
- CD12/19** LBH Strategic Policies (extract: 'Vision and Objectives')
- CD12/20** National PPG - Conserving and Enhancing the Historic Environment

B. THE COUNCIL'S INQUIRY DOCUMENTS

APP/0/1	List of Appearances
APP/0/2	Opening Submissions
APP/0/3	Legal Submissions
APP/0/4	(re-numbered – now LEGAL/1)
APP/0/5	Supplementary Legal Submissions, re Article 8 and Article 1
APP/0/6	(re-numbered – now CD2/23)
APP/0/7	London Assembly - Questions to the Mayor, 16 November 2016
APP/0/8	Mayoral Decision and Direction 18 Aug 2012, and accompanying report; with covering email from Fiona Fletcher Smith, GLA, 13 July 2017
APP/0/9	Letter from J Kiddle to market traders dated 6 July 2016; and covering email from J Owen
APP/0/10	Closing Submissions
APP/0/11	Legal Annex to Closing Submissions
APP/1/1	Lyn Garner: Proof of Evidence (regeneration)
APP/1/2	Lyn Garner: Summary
APP/1/3	Lyn Garner: Appendices
APP/1/4	Lyn Garner: Spanish translation of Summary
APP/2/1	Andrew Beharrell: Proof of Evidence and Appendices (design)
APP/2/2	Andrew Beharrell: Presentation slides
APP/3/1	Suzanne Johnson: Proof of Evidence (planning policy)
APP/3/2	Suzanne Johnson: Appendices
APP/3/3	Suzanne Johnson: Spanish translation - proof pages 118 to 128
APP/4/1	Jonathan Kiddle: Proof of Evidence (funding and delivery)
APP/4/2	Jonathan Kiddle: Appendices
APP/5/1	David Lewis: Proof of Evidence (conservation)
APP/5/2	David Lewis: Appendices
APP/6/1	Stephen Walker: Proof of Evidence (commercial negotiations)
APP/6/2	Stephen Walker: Appendices
APP/7/1	Robert Fourt: Proof of Evidence (viability)
APP/7/2	Robert Fourt: Summary
APP/7/3	Robert Fourt: Appendices
APP/8/1	Gary Saunders: Proof of Evidence (market)
APP/8/2	Gary Saunders: Appendices to Proof
APP/8/3	Gary Saunders: Spanish translation - proof section 8
APP/8/4	Gary Saunders: Update/correction to Appendix 6
APP/8/5	Gary Saunders: Rent calculations

C. OBJECTORS' INQUIRY DOCUMENTS

Obj. 001: Marta Hinestroza

OBJ/001/1	Inquiry statement
OBJ/001/1A	Inquiry statement (Spanish version)
OBJ/001/2	Appendices – press articles
OBJ/001/3	English translation of part of Appendix
OBJ/001/4	Table: rent examples

Objs. 003 and 004: London Underground Ltd

OBJ/003/1	Charles Norman: Proof of Evidence
OBJ/003/2	Charles Norman: Summary
OBJ/003/3	Charles Norman: Appendices
OBJ/003/4	Malcolm Howard: Proof of Evidence
OBJ/003/5	Malcolm Howard: Summary
OBJ/003/6	Malcolm Howard: Appendices
OBJ/003/7W	Letter of withdrawal of Objection 003, dated 14 th July 201
OBJ/003/8	Letter 27 July 2017 replying to Inspector's questions re the LUL Agreement
OBJ/004/1W	Letter of withdrawal of Objection 004, dated 14 th July 2017

Obj. 007: Airmoss Ltd

OBJ/007/1	Parminder Singh Gill: Proof of Evidence
OBJ/007/2W	Letter of withdrawal of objection 007, dated 14 th July 2017

Obj.008: Nicholas Amayo

OBJ/008/1	Written statement
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Obj. 018: Narendra Patel

OBJ/018/1W	Withdrawal email dated 24 August 2017
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Obj. 022: Libia Victoria Alvarez Martinez

OBJ/022/1	Written Statement (Spanish)
OBJ/022/2	Written Statement (English)

Obj. 026: Latin Elephant and others

OBJ/026/1	Statement by Dr Patria Román-Velazquez
OBJ/026/1A	Addition to proof
OBJ/026/1B	Correction to Proof
OBJ/026/2	Slide presentation
OBJ/026/3	Clarification note – email dated 14 July 2017
OBJ/026/4	Question to Haringey Council

Obj. 028: 'The Talentos Group'

OBJ/028/1	Written Statement by Mr Fredy Martinez
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Obj. 030: Cesar Palaquibay and Mirca Morera

OBJ/030/1	Statement by M Morera
OBJ/030/2	'The case for saving the Latin Village in Tottenham'
OBJ/030/3	Slide presentation: 'Destination Latin Village Pueblito Paisa'

Obj. 033: Illary Valenzuela Oblitas

OBJ/033/1	Email dated 26 July 2017
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Obj. 035: Myfanwy Taylor

OBJ/035/1 Statement in support of the market traders
OBJ/035/2 Design & Access Statement for the Community Coalition scheme
OBJ/035/3 Comments on Council' witnesses' evidence

Obj.036: Prof. Michael Edwards

OBJ/036/1 Proof of Evidence
OBJ/036/2 'London Housing Strategy: Just Space workshop'

Obj.038: Candy Amsden

OBJ/038/1 Written statement
OBJ/MT2/2 Appendices

Obj. 041: Dr Sara Gonzalez

OBJ/041/1 'Expert witness report in support of Social Enterprise Latin Corner UK'
OBJ/041/2 'Resisting Gentrification in Traditional Public Markets: Lessons from London'

Obj. 042: Clyde Area Residents' Association

OBJ/042/1 Copy of original letter of objection
OBJ/042/2 Notes of J Oakley's address to regeneration panel, Nov 2003

Obj. 067: Santiago Peluffo

OBJ/067/1 Email 26 July 2017

Obj. 108: Emmet Haverty-Stacke

OBJ/108/1 Inquiry statement

Obj. 143: Abigail Stevenson

OBJ/143/1 Copy of original letter of objection
OBJ/143/2 Inquiry statement
OBJ/143/3 Slide presentation: 'The community plan'

Obj. 151: Shirley Hanazawa

OBJ/151/1 Speaking notes 25 July 2017

Obj. 159: Colin Hobbs

OBJ/159/1 Email dated 27 June 2017

Obj. 167: Page Green Residents' Association

OBJ/167/1 Copy of original objection
OBJ/167/2 Response to Ms Dickson's submissions

D. OTHER DOCUMENTS TABLED BY THE MARKET TRADERS' GROUP

OBJ/MT0/1	Letter dated 13 July 2017 to Grainger plc on behalf of the Market Traders regarding S.106 Deed of Variation
OBJ/MT0/2	List of Appearances
OBJ/MT0/3	Opening Submissions
OBJ/MT0/4	Letter from Mr Oscar Murillo dated 17 July 2017 and background information
OBJ/MT0/5	Press cutting re 'The Scene' development in Walthamstow, 27 Jan 2015
OBJ/MT0/6	Borough Profile Housing Information
OBJ/MT0/7	(re-numbered - now LEGAL/2.1 and /2.2)
OBJ/MT0/8	United Nations Press release
OBJ/MT0/9	Closing Submissions
OBJ/MT0/9A	Closing Submissions - additional sections
OBJ/MT0/10	List of traders represented by Ms Feria-Tinta, with confirmatory letters
OBJ/MT1/1	Carlos Burgos: Statement (in Spanish)
OBJ/MT1/2	Carlos Burgos: Appendices
OBJ/MT/1/3	Carlos Burgos: Video
OBJ/MT1/4	Carlos Burgos: Statement (English translation)
OBJ/MT2 - MT/4	(re-numbered - see Objs. 035, 036 and 038)
OBJ/MT5/1	Martin Ball: Witness statement
OBJ/MT6/1	Expert Statement by Lucy Claridge and Prof. Alexandra Xanthaki
OBJ/MT7/1	Martha Giraldo Sanchez: Witness statement (in Spanish)
OBJ/MT7/2	Martha Giraldo Sanchez: Appendices - photographs
OBJ/MT7/3	Martha Giraldo Sanchez: Witness statement (English translation)
OBJ/MT8/1	Daniel Martinez: Witness statement (in Spanish)
OBJ/MT/8/2	Daniel Martinez: Witness statement (English translation)
OBJ/MT9/1 - 9/5	(re-numbered - see Obj. 001)
OBJ/MT10/1	Manuel Pelaez:: Witness statement (in Spanish)
OBJ/MT10/2	Manuel Pelaez:: Witness statement (English translation)
OBJ/MT11/1	Maria Osorio: Witness statement (in Spanish)
OBJ/MT11/2	Maria Osorio: Witness statement (English translation)
OBJ/MT12/1	Fernando Esguerra: Witness statement (in Spanish)
OBJ/MT12/2	Fernando Esguerra: Appendix - photograph
OBJ/MT12/3	Fernando Esguerra: Witness statement (English translation)
OBJ/MT13/1	Lita Kaguawajigashi: Witness statement (in Spanish)
OBJ/MT13/2	Lita Kaguawajigashi: Witness statement (English translation)
OBJ/MT14/1	Juan Alvarez: Written statement (in Spanish)
OBJ/MT14/2	Juan Alvarez: Written statement (English translation)
OBJ/MT15/1	Diego Alvarez: Witness statement (in Spanish)
OBJ/MT15/2	Diego Alvarez: Witness statement (English translation)
OBJ/MT16/1 - 16/2	(re-numbered - see Obj. 030)
OBJ/MT17/1	Stephania Cano Alvarez: Witness statement
OBJ/MT17/2	Three photographs

OBJ/MT18/1	Fabian Cataño Cadavid: Witness statement (in Spanish)
OBJ/MT18/2	Fabian Cataño Cadavid: Witness statement (English translation)
OBJ/MT18/3	Fabian Cataño Cadavid: Appendix – utility bills

E. OTHER REPRESENTATIONS

Late objections received during the inquiry

OBJ/168/1-4	Isaac Bigio (with attachments)
OBJ/169/1	National Market Traders' Federation
OBJ/170/1	Jimena Pardo
OBJ/171/1	Juan Fernandez-Ochoa
OBJ/172/1	Claudia Turbet-Delof
OBJ/173/1	Arrun Degenhardt
OBJ/174/1	Sonia Quintero
OBJ/175/1	Valeria Costa-Kostritsky
OBJ/176/1	Claire Wilson
OBJ/177/1	Tamar Schlaim
OBJ/178/1	Elliot Elam
OBJ/179/1	Elisha Sessions
OBJ/180/1	Daniel Montesinos-Donaghy
OBJ/181/1	Paula Morrison
OBJ/182/1	Maria Alexadrescu
OBJ/183/1	Susana Rivera Buckett
OBJ/184/1	David Heinemann
OBJ/185/1	Alison Buckett
OBJ/186/1	Joseph Gompertz
OBJ/187/1	Vicky Baker
OBJ/188/1	Ornella Ospino
OBJ/189/1	Camila Marin
OBJ/190/1	Paul Higgins
OBJ/191/1	Rev. Ana Victoria Bastidas

Supporting representations

SUP/1	Lee Valley Estates - letter 23 June 2017 from Chris Shellard, Development & Regeneration Director,
SUP/2	Lee Valley Estates - letter 23 June 2017 from Michael Polledri, Chairman
SUP/3	Tottenham Hotspur Football & Athletic Co Ltd – email dated 26 June 2017
SUP/4	Tina Dickson: Witness statement
SUP/4A	Tina Dickson: Appendices - petition and supporting letters
SUP/4B	Tina Dickson email and attachment dated 27 July 2017

F. LEGAL AUTHORITIES AND PRECEDENTS

LEGAL/1	'Authorities Bundle' tabled by the Council (Binder with 20 items)
LEGAL/2	'List of Authorities' Vols 1 & 2, tabled by the Market Traders Group (2 binders with 23 items)

G. GENERAL INQUIRY DOCUMENTS

GID/1	Inspector's Pre-Meeting Note dated 27 April 2017
GID/2	Inspector's Pre-Inquiry Meeting of 3 May 2017 - Note issued 11 May 2017
GID/3	(not used)

GID/4	Inspector's Ruling on the inclusion of the updated Equality Impact Assessment, June 2017
GID/5	Inspector's questions to the London Borough of Haringey, 26 July 2017
GID/6	Council's replies to Inspector's Questions (GID/5), and attachments
GID/6A	Redacted version: Council's replies to Inspector's Questions (GID/5), and attachments
GID/7	United Nations Human Rights letter to Grainger plc, dated 21 July 2017
GID/8	Summary of Inquiry Proceedings (as occurred)
GID/9	Inspector's final list of objections, objectors and others making representations
GID/10	Inquiry Documents List (Inspector's version)