



C O U N C I L

S U P P L E M E N T A R Y

A G E N D A

All Members of the Council are
HEREBY SUMMONED
to attend a meeting of the Council
to be held on:

Monday, 24 July 2023, at 7.00 pm
Hackney Town Hall,
Mare Street, E8 1EA

Live stream link: <https://youtube.com/live/-aCP-4xwL1Y>

Backup link: <https://youtube.com/live/M8xk3-KUBTg>

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Acting Chief Executive
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www.hackney.gov.uk

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MEETING OF COUNCIL MONDAY, 24 JULY 2023 ORDER OF BUSINESS

The main agenda can be viewed here:

<https://hackney.moderngov.co.uk/documents/g5663/Agenda%20frontsheet%20Monday%2024-Jul-2023%2019.00%20Council.pdf?T=0>

6 Questions from Members of the Public

6.1 To the Cabinet Member for Climate Change, Environment and Transport from Mr John Anthony

People who live in low traffic neighbourhoods are also allowed to drive in our neighbourhoods but we are not allowed to drive in their neighbourhoods. In what way is that fair?

6.2 To the Cabinet Member For Health, Adult Social Care, Voluntary Sector and Culture From Ms Linda Bowden

Given that the temperature last year exceeded 40 degrees, will the Council be providing air conditioning for the vulnerable?

6.3 To the Cabinet Member for Families, Parks and Leisure From Ms Ayesha Taylor

What opportunities are there for children with a diagnosis of autism/SEND needs to participate in music making in Hackney?

6.4 To the Cabinet Member for Employment, Human Resources and Equalities From Ms Jasmine Martins

If the illegal Migration Bill becomes law, how will Hackney Council continue to support the rights of refugees, migrants and asylum seekers and challenge this abhorrent legislation?

6.5 To the Cabinet Member for Climate Change, Environment and Transport From Mr Alan Roberts

Please can the Cabinet Member explain to me how blocking Shepherdess Walk with a barrier makes any savings to the environment when you have to drive 1.5 miles in heavy traffic to get 200 yards?

6.6 To the Deputy Mayor and Cabinet Member for Education, Young People and Children's Social Care From Ms Clair Battaglino

Despite School Streets at least 30 schools and nurseries on roads where LTN traffic has been rerouted face hours of increased traffic, congestion, daytime

pollution and risk of traffic-related accidents. What plans does the Council have to decrease the harm and risk for these babies, children and young people?

6.7 To the Cabinet Member for Climate Change, Environment and Transport From Mr Matthew Albrow

Residents live, walk, cycle, wait for buses, attend schools on Balls Pond, Dalston Lane, Graham Road. What solution with a reasonable timeframe will Hackney Council be putting into place to mitigate the additional harm being caused to all residents using and living on these roads since the introduction of LTNs?

6.8 To the Cabinet Member for Climate Change, Environment and Transport From Dr Noah Birksted-Breen

Would Hackney Council agree to establish a cross-disciplinary external design panel - made up of Hackney residents who have professional experience as sustainability architects and engineers, thereby benefiting from their specific local knowledge – to consider how best to decarbonize housing stock, including the challenging issue of embodied carbon?

6.9 To the Cabinet Member for Climate Change, Environment and Transport From Mr Niall Crowley

Whiston Road is now the only fully open west-east route between Shoreditch-Amhurst. Since 2021, traffic increased *55%, and serious cycling accidents have doubled. Residents are paying a heavy price for LTNs. Will the Council agree to scrap the disastrous experiments and work with residents for a workable and equitable solution?

*Whiston Road traffic

<https://news.hackney.gov.uk/rebuilding-a-greener-hackney-london-fields-low-traffic-neighbourhood-retained/>
<https://docs.google.com/document/d/1beW71dtU-KvVvi6BWTnvdmmXsRMFWLBKMva4pO2bJ84/edit?pli=1>

11 Statement of Licensing Policy 2023-2028: Report of the Group Director , Climate Homes and Economy. Appendix 4: Enclosed (Pages 9 - 18)

14a Motion 1 – AMENDED MOTION: Hackney, A Borough Sanctuary
:Enclosed Pages (19 - 22)

Proposer: Cllr Sophie Conway

Seconder: Cllr Joe Walker

If you wish to submit a question, you can do so by:

- emailing governance@hackney.gov.uk
- or via the Council website: <https://hackney.gov.uk/ask-a-question>

For further information on public participation in meetings of the Council and the decision making process visit:

<https://hackney.gov.uk/menu/#getinvolvedcouncildecision>

Public Attendance

The Town Hall is open. Information on forthcoming Council meetings can be obtained from the Town Hall Reception.

Members of the public and representatives of the press are entitled to attend Council meetings and remain and hear discussions on matters within the public part of the meeting. They are not, however, entitled to participate in any discussions. Council meetings can also be observed via the live-stream facility, the link for which appears on the agenda front sheet of each committee meeting.

On occasions part of the meeting may be held in private and will not be open to the public. This is if an item being considered is likely to lead to the disclosure of exempt or confidential information in accordance with Schedule 12A of the Local Government Act 1972 (as amended). Reasons for exemption will be specified for each respective agenda item.

For further information, including public participation, please visit our website <https://hackney.gov.uk/menu#get-involved-council-decisions> or contact: governance@hackney.gov.uk

Rights of Press and Public to Report on Meetings

The Openness of Local Government Bodies Regulations 2014 give the public the right to film, record audio, take photographs, and use social media and the internet at meetings to report on any meetings that are open to the public.

By attending a public meeting of the Council, Executive, any committee or sub-committee, any Panel or Commission, or any Board you are agreeing to these guidelines as a whole and in particular the stipulations listed below:

- Anyone planning to record meetings of the Council and its public meetings through any audio, visual or written methods they find appropriate can do so providing they do not disturb the conduct of the meeting;
- You are welcome to attend a public meeting to report proceedings, either in 'real time' or after conclusion of the meeting, on a blog, social networking site, news forum or other online media;
- You may use a laptop, tablet device, smartphone or portable camera to record a written or audio transcript of proceedings during the meeting;
- Facilities within the Town Hall and Council Chamber are limited and recording equipment must be of a reasonable size and nature to be easily accommodated.
- You are asked to contact the Officer whose name appears at the beginning of this Agenda if you have any large or complex recording equipment to see whether this can be accommodated within the existing facilities;
- You must not interrupt proceedings and digital equipment must be set to 'silent' mode;
- You should focus any recording equipment on Councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed.

Failure to respect the wishes of those who do not want to be filmed and photographed may result in the Chair instructing you to cease reporting or recording and you may potentially be excluded from the meeting if you fail to comply;

- Any person whose behaviour threatens to disrupt orderly conduct will be asked to leave;
- Be aware that libellous comments against the council, individual Councillors or officers could result in legal action being taken against you;
- The recorded images must not be edited in a way in which there is a clear aim to distort the truth or misrepresent those taking part in the proceedings;
- Personal attacks of any kind or offensive comments that target or disparage any ethnic, racial, age, religion, gender, sexual orientation or disability status could also result in legal action being taken against you.

Failure to comply with the above requirements may result in the support and assistance of the Council in the recording of proceedings being withdrawn. The Council regards violation of any of the points above as a risk to the orderly conduct of a meeting. The Council therefore reserves the right to exclude any person from the current meeting and refuse entry to any further council meetings, where a breach of these requirements occurs. The Chair of the meeting will ensure that the meeting runs in an effective manner and has the power to ensure that the meeting is not disturbed through the use of flash photography, intrusive camera equipment or the person recording the meeting moving around the room.

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;

- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You must not:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups, voluntary organisations in the borough or governorships at any educational institution within the borough.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest of well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. You **may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.

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Licensing Policy 2023-2028

Appendix 4

Additional responses to the responses received during the survey carried out as part of the consultation on the draft Statement of Licensing Policy

Core Hours (LP3)	
<p>“Core hours pose a threat to the NTE and each venue should be considered on its merits.”</p>	<p>The number of licensed premises in Hackney in the financial year 2017/18 Hackney reported 1366 active premises licences to the Home Office. In 2021/22 the Council reported 1531 active premises licences and there is no suggestion the Policy or even the pandemic has restricted growth.</p>
<p>“Closing at midnight was too early and the council should support responsible landlords and club owners in staying open later while minimising disturbance.”</p>	<p>The Core Hours have been designed to be generally aligned with hours of activity that have been deregulated by recent legislative measures, such as the Live Music Act 2012 and the Deregulation Act 2015. The hours are also based on the Council’s own experience since the commencement of the Act. Further, 23:00 to 07:00 are generally considered to be the ‘night-time’ hours, the hours for late-night refreshment and the hours that certain forms of regulated entertainment are deregulated, hence the desire to place activities during late hours under more scrutiny whilst acknowledging that there may be slightly more tolerance at weekends.</p>
<p>“Night time workers, livers, operators, creators need a place to feel welcome and included, so 24/7 hours are important.”</p>	<p>The Core Hours policy is a continuation of the Policy published in 2018, and is designed to reflect the requirement in the Home Office Guidance (licensing hours) by seeking to balance the needs of licensed operators whilst mitigating any negative residential impact and promoting the licensing objectives.</p>
<p>“Weekend core hours should be slightly extended until 1:00 am.”</p>	<p>The Core Hours have been designed to be generally aligned with hours of activity that have been deregulated by recent legislative measures, such as the Live Music Act 2012 and the Deregulation Act 2015. The hours are also based on the Council’s own</p>

	<p>experience since the commencement of the Act. Further, 23:00 to 07:00 are generally considered to be the 'night-time' hours, the hours for late-night refreshment and the hours that certain forms of regulated entertainment are deregulated, hence the desire to place activities during late hours under more scrutiny whilst acknowledging that there may be slightly more tolerance at weekends.</p>
<p>".....should be combined with attention to issues such as biodiversity both within and beyond the core hours e.g. minimising light pollution through use of downlighting and yellow spectrum LEDs."</p>	<p>The Environmental Protection Act 1990 is the primary mechanism for addressing light pollution. This matter is therefore not relevant.</p>
<p>"The core hours are too restrictive and at odds with Hackney's otherwise vibrant, energetic and youthful culture."</p>	<p>The Core Hours have been designed to be generally aligned with hours of activity that have been deregulated by recent legislative measures, such as the Live Music Act 2012 and the Deregulation Act 2015. The hours are also based on the Council's own experience since the commencement of the Act. Further, 23:00 to 07:00 are generally considered to be the 'night-time' hours, the hours for late-night refreshment and the hours that certain forms of regulated entertainment are deregulated, hence the desire to place activities during late hours under more scrutiny whilst acknowledging that there may be slightly more tolerance at weekends.</p>
<p>"Later hours should be encouraged to give hospitality venues greater freedom in inner London."</p>	<p>The Core Hours policy should not be seen as a blanket approach. It should instead be treated as a guide for all parties involved in any licence application process.</p>
<p>"While noise affects me as a resident, I appreciate the benefits that licensed activities within these hours can bring to the area."</p>	<p>The Core Hours policy is a continuation of the Policy published in 2018, and is designed to reflect the requirement in the Home Office Guidance (licensing hours) by seeking to balance the needs of licensed operators whilst mitigating any negative residential impact and promoting the licensing objectives.</p>

<p>“I think the late licensing hours should be reduced and if required then they have to be specifically applied for within strict requirements and carry a higher licensing fee.”</p>	<p>The Core Hours have been designed to be generally aligned with hours of activity that have been deregulated by recent legislative measures, such as the Live Music Act 2012 and the Deregulation Act 2015.</p> <p>It should also be noted that licences authorising alcohol sales between 00:01 and 06:00 on any day are liable to pay the late night levy</p>
<p>“In the case of shops in residential settings licensed to sell alcohol, midnight is too late - it's likely to cause anti-social behaviour and disturbance outside shops.”</p>	<p>LP4 (Off-sales of alcohol) sets out that hours...”will generally be restricted to between 08:00 and 23:00...”</p>
<p>“The core hours do not reflect the habits of Hackney residents or visitors.”</p>	<p>The Core Hours have been designed to be generally aligned with hours of activity that have been deregulated by recent legislative measures, such as the Live Music Act 2012 and the Deregulation Act 2015. The hours are also based on the Council's own experience since the commencement of the Act. Further, 23:00 to 07:00 are generally considered to be the 'night-time' hours, the hours for late-night refreshment and the hours that certain forms of regulated entertainment are deregulated, hence the desire to place activities during late hours under more scrutiny whilst acknowledging that there may be slightly more tolerance at weekends.</p>
<p>“Current core hours are not being enforced tightly. This leads to licensed premises operating well past their licensable hours late into the night. Leading to excessive noise, litter, antisocial behaviour and in the summer an increase in people peeping against residences during the late nights.”</p>	<p>Matters relating to non-compliance are outside of this Policy and would be addressed in accordance with the Council's Enforcement Policy and the Regulators Code.</p>
<p>“The proposed core hours policy is anti-business and anti-youth, and does not realise the potential for Hackney to have an enduring and positive night time economy past 11pm.”</p>	<p>The Core Hours Policy States “Later hours may be considered where the applicant has identified any risk that may undermine the promotion of the licensing objectives and has put in place robust measures to mitigate those risks.”</p>

External Areas and Outdoor Events (LP6)	
<ul style="list-style-type: none"> “I think 10pm is a reasonable end time for any outside event in a residential area and that no extensions should be offered beyond that.” 	LP6 states “The Licensing Authority will normally restrict external areas and outdoor activity to between 08:00 and 22:00 unless the applicant can demonstrate that comprehensive control measures have been implemented that ensure the promotion of the licensing objectives, in particular the public nuisance objective.”
“I believe that unique punctual celebrations can be positive for the community but that it has to be strongly regulated.”	LP6 seeks to set out a general approach. Longer or shorter hours could be set subject to the individual merits of the case.
“And that should be done more on a case-by-case basis as it does apply to all venues.”	LP6 should not be seen as a blanket approach. It should instead be treated as a guide for all parties involved in any licence application process.
“Again greater case by case freedom should be given to encourage the struggling culture and hospitality sectors.”	LP6 should not be seen as a blanket approach. It should instead be treated as a guide for all parties involved in any licence application process. However, the Council has a duty to promote the licensing objectives. Nuisance is often caused as a result of outdoor activity hence the desire for applicants to address this whilst preparing their operating schedules.
“Many venues have conditions within their existing licences that external activities are limited to 9pm. This enables a good quality of life for all. And matches with the Council's Sustainable community strategy as noted in the Licensing strategy document.	LP6 should not be seen as a blanket approach. It should instead be treated as a guide for all parties involved in any licence application process.
“For outdoor events in parks it should be 9pm - public nuisance to residents.”	LP6 seeks to set out a general approach. Longer or shorter hours could be set subject to the individual merits of the case.
“We need to be more social for our health and for the strength and community bonds of society. These types of laws are much less	Nuisance is often caused as a result of outdoor activities, hence the desire for applicants to address this whilst preparing their operating schedules.

<p>restrictive in places like Spain, Greece and France, where there is invariably a much tighter sense of community. In such places it's extremely common to have outdoor events past 10pm - and this is to be encouraged where appropriate."</p>	<p>This specific policy is seen as too early by some and too late by others. It is therefore designed to create a balance between the competing interests of the parties involved.</p> <p>It should also be noted that the measures introduced under the Business and Planning Act 2020 sought to encourage outdoor activity at hospitality venues.</p>
<p>"For pubs and constantly opening venues that makes sense as a lot of pubs have signs saying they are considering their residential neighbours. One off events should not be so strict as they have less potential for nuisance especially on an ongoing basis."</p>	<p>One-off events that seek hours beyond those in LP6 would be considered on a case-by-case basis, assessing the individual merits of the application.</p>
<p>"This does not go far enough. A default of 08:00 is far too early, it should be more like 11:00."</p>	<p>LP6 seeks to set out a general approach. Longer or shorter hours could be set subject to the individual merits of the case.</p>

<p>Special Policy Areas (LP10)</p>	
<p>"It is very helpful to have a Special Policy Area for Shoreditch. Core hours should be until 23.00 only as there is saturation of licensed premises."</p>	<p>Special policy areas exist in areas where there are already a large number of licensed premises and there is deemed to be a cumulative impact on local residents. This cumulative impact could mean noise at particular times of the night, litter, or increased alcohol-related crime or hospital admissions. An independent Cumulative Impact Assessment is being carried out that would determine where, if any, special policy areas should be located in the borough.</p> <p>An SPA is not a blanket approach and can be rebutted where an applicant can demonstrate that their proposal would not</p>

	<p>add to the negative impact already being experienced.</p>
<p>“The implementation of the Shoreditch SPA has had no positive impact on the licensing objectives - crime, anti-social behaviour nuisance have all increased while it has been in place. The SPA in Dalston has had a devastating effect on the local economy and community.”</p>	<p>Historically in Hackney, there is often a correlation between the locations of licensed premises and certain types of crime, ambulance calls and increased A&E admissions. The SPA is therefore the Policy that would be applied in the event that a Cumulative Impact Assessment (CIA) determines that this is necessary. Any such evidence would be set out in the CIA which is currently being undertaken.</p>
<p>“That seems very strict, all types of economic/human activity comes with a downside, like markets produce food waste that has to be cleaned by the council. It's better to have similar nightlife venues localised in one vibrant area.”</p>	<p>Special policy areas exist in areas where there are already a large number of licensed premises and there is deemed to be a cumulative impact on local residents. This cumulative impact could mean noise at particular times of the night, litter, or increased alcohol-related crime or hospital admissions. An independent Cumulative Impact Assessment is being carried out that would determine where, if any, special policy areas should be located in the borough.</p> <p>An SPA is not a blanket approach and can be rebutted where an applicant can demonstrate that their proposal would not add to the negative impact already being experienced.</p>
<p>“.....it can be demonstrated that smaller independent operators are more interested and more effective in promoting the licensing objectives, and that the implementation of an SPA threatens these objectives by creating a commercial market into which only corporate groups can afford to enter.”</p>	<p>An SPA is not a blanket approach and can be rebutted where an applicant can demonstrate that their proposal would not add to the negative impact already being experienced.</p> <p>No evidence has been presented that would support the argument that the SPA places corporate operators at an advantage over independent operators.</p>

<p>“I would strongly object to any attempt in this new licensing policy to reduce the Shoreditch SPA boundary or in any other way to make it any easier for an applicant to obtain a licence in the area. I am also concerned that a decision to drop reference to specific areas (Shoreditch and Dalston) might prevent downgrading one or both of them entirely. We need more and stronger licensing controls, not less.”</p>	<p>An independent Cumulative Impact Assessment is being carried out that would determine where, if any, special policy areas should be located in the borough.</p>
<p>“An innovative night time industry depends on constant change. Making it too difficult for new spaces to open might reduce the overall attractiveness as a nightlife destination.”</p>	<p>An SPA is not a blanket approach and can be rebutted where an applicant can demonstrate that their proposal would not add to the negative impact already being experienced.</p>
<p>“Applicants should be able to demonstrate good environmental practice such that the proposed activity will not add to the cumulative impact of unsustainable and therefore unsafe aspects such as single use plastic. Offering reuse and recycling facilities plus means of minimising impact on biodiversity such as use of downlighting and yellow spectrum LEDs should be a requirement for applications to not be subject to presumption of rejection (though rejection may be the correct decision for other reasons).”</p>	<p>Matters pertaining to biodiversity, downlighting and yellow spectrum LEDs not relevant to the promotion of the licensing objectives.</p>
<p>“The removal of the defined boundaries of the Special policy areas would make these nebulous and harder for both the Council and applicants to assess the applicability of the Special policy area to an application. I do however support the presumption to refuse new applications in these areas, unless the applicant can clearly prove that the proposed activity(s) will not add to the cumulative impact being experienced in the area in question.”</p>	<p>An independent Cumulative Impact Assessment is being carried out that would determine where, if any, special policy areas should be located in the borough.</p> <p>An applicant would be asked to demonstrate (not prove) that their proposal will not add to the negative impact being experienced</p>

Special Consideration Areas (LP11)	
<p>“It is the council’s prerogative to accommodate and support and provide strategies and solutions and encourage active engagement with the night economy.”</p>	<p>Under s(4) of the Licensing Act 2003, a licensing authority must carry out its functions under this Act with a view to promoting the licensing objectives whilst having regard to its licensing policy and the guidance from the Home Office.</p>
<p>“I think it's good if it is to raise awareness of local issues to a potentially non local venue operator or owner.”</p>	<p>In a Special Consideration Area, the cumulative impact from licensed premises is similar to special policy areas but not at a level that would require a presumed refusal of a new licensing application. Instead applicants are expected to address these issues in their application and put in place measures to mitigate these impacts. The location of these areas would be decided following an independent assessment, which we will then consult on.</p>
<p>“In my opinion, all applicants should demonstrate their understanding of the negative impacts the premise may have and include measures to mitigate those issues.”</p>	<p>The Licensing Act 2003 is permissive. The onus is on the party (e.g. a responsible authority or a local resident) making the representation in connection with a new application that the proposal will undermine one or more of the licensing objectives. A Special Consideration Area will require an applicant for a premises licence, club premises certificate or variation of these authorisations to demonstrate that they have an understanding of the issues and concerns arising from cumulative impact in defined area as identified in a Cumulative Impact Assessment and include measures within their operating schedule to mitigate those issues and concerns.</p>
<p>“This: "there will not be a presumption to refuse application." Why not? The SPAs or SCAs are areas which are already saturated with late night entertainment. The presumption to refuse application should remain.”</p>	<p>In a Special Consideration Area, the cumulative impact from licensed premises is similar to special policy areas, but not at a level that would require a presumed refusal of a new licensing application. Instead applicants are expected to address these issues in their application and put in place measures to mitigate these impacts.</p>
<p>“Disagree with 70% of the late night levy going to the police”</p>	<p>The relevant provision is set out in s141(4) of the Police Reform and Social</p>

	<p>Responsibility Act 2011. Therefore this is not a matter that is within the jurisdiction of the Licensing Policy.</p>
<p>“I don't agree. If an area has been identified as suffering a Cumulative Impact it should be designated as a Special Policy Area. These controls are already too weak to effectively deal with the impact, I can't see how introducing a watered-down version would make much real difference to consideration of a licence application.”</p>	<p>The cumulative impact from licensed premises is similar to special policy areas, but not at a level that would require a presumed refusal of a new licensing application. Instead applicants are expected to address these issues in their application and put in place measures to mitigate these impacts.</p>
<p>“There is room for a greater variety of cultural offerings in for example Dalston, these new venues should be encouraged not discouraged.”</p>	<p>Licensable activities are neither encouraged nor discouraged. Where an application is made within a Special Consideration area, the applicant is expected to demonstrate an understanding of the issues and concerns arising from a Cumulative Impact Assessment and address these matters in their operating schedule.</p>
<p>“The Special Consideration Area sounds like a much more proportionate and flexible response to some of the pressures and issues Special Policy Area is designed to address (but seek to do in an overly heavy handed and prescriptive way).....”</p>	<p>Any area identified as a Special Consideration Area would still be suffering from cumulative impact. However, this would not be at a level that the refusal of an application is the default position. Instead the applicant is expected to demonstrate an understanding of the issues and concerns arising from a Cumulative Impact Assessment and address these matters in their operating schedule.</p>

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14a - Motion 1 Hackney, A Borough of Sanctuary

Following the publication of the motion in the agenda, the proposer and seconder have amended the motion to include additional text as follows:

Bold Text= Amendments

This Council notes:

- That the Coalition and successive Conservative governments' "Hostile Environment" policies deliberately make life hard for refugees, asylum seekers and for those who cannot prove their right to remain in the UK.
- During the Windrush 75th anniversary year, the government is rowing back on key recommendations made by Wendy Williams in the 2020 Lessons Learned Review: to create the post of Migrants' Commissioner; increase the powers of the Independent Chief Inspector of Borders and Immigration (ICIBI) to publish reports; and to run a series of reconciliation events with members of the Windrush Generation to discuss the impact of the scandal on their lives.
- The Government's cruel treatment of the Windrush Generation has forced many Hackney residents who were born in the UK, to go through unnecessary amounts of distress, with some being deported.
- The Council will continue to celebrate tolerance and diversity and welcome refugees and migrants. The Council has already welcomed refugees from Afghanistan, Syria, Ukraine and through formal schemes, who have made Hackney their home over the last 5 years.
- The Government's underfunding of the immigration system and the impact of migrant and refugee communities results in delayed decision making on applications, unjustifiably high and unreasonable fees for immigration applications, and the harsh reality of being excluded from fully participating in society for those who are granted leave to remain in the UK, but who have No Recourse to Public Funds (NRPF).
- The Home Office NRPF policy is inhumane and fails to comply with the legal obligation to safeguard and promote the welfare of children. It has also been found unlawful by the High Court for the third year in a row.
- **That the United Nations Working Group of Experts on People of African Descent has stated that, "There are barriers to accessing asylum in advance of arrival by people of African descent. Many asylum seekers of African descent often find themselves subject to punitive migration controls such as detention, denial of benefits, deportation sometimes in error, and externalisation. Their state of precariousness is exacerbated by denial of the right to work and basic needs such as health care, housing, and adequate food.**

- That the pandemic has brought further difficulties for refugees and migrants, including insecure work, lack of access to decent housing and digital exclusion.

This Council further notes:

- **That all our residents, no matter their nationality, call Hackney their home and bring significant value to our borough.**
- That Hackney celebrates our borough's history of being a welcoming borough, and welcoming everybody, regardless of their background. The Council recognises the contribution of refugees, migrants and those seeking sanctuary to the Borough of Hackney. We are committed to welcoming and including them in all of our activities and actively seek ways in which we can support them.
- That, throughout the pandemic, Hackney Council's support services were open to anyone who needed them, no matter their immigration status.
- Despite limitations imposed by central government, Hackney Council continues to try to find ways to support people with NRPF. For example, the Council has extended eligibility for free school meals to include some children of groups who have no recourse to public funds.
- **The Council has called on the Home Secretary expressing serious concerns about the Streamline Asylum Process and the absence of resources to provide necessary support including translation services and legal aid provision.**
- **Mayor Glanville is a signatory to the Migrant Democracy Statement 'Our Homes Our Votes', that would see the implementation of the Scotland and Wales model to allow all residents who have permission to enter or stay in the UK, or who do not need permission, to have the right to vote in local elections, including mayoral elections, in England and Northern Ireland. The Council celebrates Refugee Week annually and publicly shares and celebrates the contribution of refugees and migrants in Hackney.**
- That the Council is committed to our refugee and migrant communities. We support the initiative to make Hackney a recognised 'Borough of Sanctuary,' welcoming those fleeing violence and persecution and offering them safety.

This Council resolves to:

- Join a network of cities and towns which promote the inclusion and welfare of people who are fleeing violence and persecution in their own countries and become a recognised "Borough of Sanctuary".
- Continue to celebrate the contribution of refugee and migrant communities to Hackney.

- Continue to work with organisations in Hackney who support refugees, asylum seekers and migrants in the borough to create an inclusive and welcoming borough for those seeking sanctuary here.
- Challenge anti-refugee and anti-migrant attitudes wherever they are found.
- Continue to lobby the government to reform the No Recourse to Public Funds condition so that people are no longer blocked from fully participating in society for years while they wait for their status to be resolved.
- We will continue to put pressure on the Government to reverse the Home Secretary's plans to abandon key Commitments on the Windrush Compensation Scheme, following the publication of the lessons learned review, and for the Scheme to be run independently from the Home Office.
- Write to the Minister of State at the Department for Levelling Up, Housing and Communities requesting that the franchise for local elections be extended in England and Northern Ireland to all qualifying foreign nationals in line with eligibility criteria in Scotland and Wales. This would ensure a UK-wide and fair approach so that all our residents who are also our council tax payers are enfranchised.
- Work with local businesses and community partners to further tackle the digital divide, provide affordable access to online services and look at ways to donate IT devices locally to those in need, rather than scrapping them.

Proposer: Cllr Sophie Conway

Seconder: Cllr Joe Walker

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