

Tabled Papers Amendments to Motions

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Council Meeting
Wednesday, 29 November 2023

Agenda item 13: Proposed Amendments to Motions received by the Monitoring Officer prior to 12 noon on Tuesday, 28 November

Underlined text = proposed additional wording ~~Strikethrough text~~ = proposed deletions

The original motions were published in the supplementary agenda which can be viewed [here](#)

13. Motions

13b. Green Motion - Include a Ban on High-Carbon Advertising in the Council's Advertising and Sponsorship Policy

The following amendments are proposed by the Labour Group:

This Council notes:

- That the Council's Corporate Advertising and Sponsorship Policy 2022 was adopted [as Appendix 4 of the External Advertising Contract](#) by the Cabinet Procurement and Insourcing Committee on 16/01/2023¹. ~~However, to date, it has not been implemented across sites run by the council.~~
- The policy outlines a number of products and services which will not be accepted on council-owned media, including the promotion of products high in fats, sugars and salts (HFSS), alcohol, knives or weapons and gambling services. These proscribed products and services would undermine the Mayor's priorities as set out in the strategic plan for a fairer, safer, healthier Hackney working together for every child. ~~However none of the products or services currently banned address the "greener" priority.~~
- ~~The policy states that it "will be subject to ongoing updates made by the Council on a regular and reasonable basis."~~

This Council further notes:

- [that it has adopted a Climate Action Plan which acknowledges that consumption emissions - the things we buy, use and sell - currently represent 73% of the borough's emissions](#)

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<https://hackney.moderngov.co.uk/documents/s79836/Appendix%20-%20Hackney%20Advertising%20and%20Sponsorship%20Policy%202022%20revised%201.pdf>

- that one of the five themes of the climate action plan is a reduction in consumption of goods and services that contribute to those emissions
- such goods and services include “high carbon” items, such as fossil fuels, internal combustion engines and aviation, which must be reduced or phased out to help reach our carbon reduction targets

This Council believes that:

- Advertising can be used to induce demand for “high carbon” products and services where there may be no actual need, and where the products and services run counter to the council’s stated policies, aims and objectives.

~~This Council also notes that:~~

- ~~London borough of Hackney declared a Climate Emergency in 2019 committing to reach net zero emissions by 2040. In 2022, the Council passed the Climate and Ecology Bill, declaring its intention to bring forward its net zero target to 2030 so it can join the UK100 network.~~
- ~~Hackney’s Climate Action Plan emphasised the Council is only directly responsible for 5% of the borough’s territorial emissions and that the Council must take a leading role in encouraging and supporting behavioural change in individuals, institutions and businesses.~~
- ~~Hackney’s Climate Action Plan notes that 15% of Hackney’s emissions are from transport and aviation accounts for 7% of that amount.~~
- ~~One of Hackney’s Climate Action Plan goals is for goods to be repaired and reused, and for us only to buy what we need.~~
- ~~Last year a nationally representative survey of UK public attitudes found that over two-thirds (68%) of UK adults said that they would restrict the advertising of environmentally harmful products.²~~

~~In addition this Council notes:~~

- ~~The legal opinion, as part of the due diligence in addressing the role of advertising in fuelling the climate emergency, of Richard Wald KC of 39 Essex Chambers, commissioned by the New Weather Institute on behalf of Badvertising and Adfree Cities, which provides legal advice to local councils~~

² <https://www.badverts.org/latest/polling-finds-big-uk-majority-in-favour-of-curbs-on-polluting-ads>

~~implementing policies to restrict advertising for environmentally damaging, high-carbon goods and services.³~~

- ~~● Richard Wald KC's legal opinion outlines how:
 - ~~○ The adoption of an advertising policy banning 'high-carbon' advertising is squarely within the powers available to local authorities and therefore prima-facie lawful.~~
 - ~~○ The legal risks of adopting a high-carbon advertising ban are limited and the prospect of a successful challenge is low.~~
 - ~~○ Councils have broad scope to design a policy according to their discretion, despite a lack of a national definition of 'high-carbon', with effective precedents already set and working in practice.~~~~
- ~~● In broad terms 'high-carbon' products and services, are those which are environmentally damaging and which must be phased out or limited to reach the UK's climate goals. These include fossil fuels, internal combustion vehicles and aviation.~~
- ~~● Councils leading the way with policies restricting high-carbon advertising include Cambridgeshire County Council⁴, Basingstoke⁵ and Coventry⁶.~~

The Council resolves to:

~~Add to the Advertising and Sponsorship Policy 2022:~~

- ~~● a clause that prohibits those whose business activities/practices do not align with the Council's wider values, corporate objectives and strategic goals, such as the environment and carbon accounting. Exceptions may be considered if the companies, partnerships, organisations or individuals involved can prove that less than 5% of their overall income is derived from any of the excluded products and services.~~
- [Include in the Advertising and Sponsorship Policy 2022 at paragraph 2.3, an additional subsection ix. reading \[Advertising will not be accepted if, in Hackney Council's opinion, it is reasonably objectionable on the grounds that it:.....\] could promote goods or services that contradict the council's Climate Action Plan, for example by encouraging the use of fossil fuels.](#)

³

<https://www.newweather.org/wp-content/uploads/2023/05/High-Carbon-Advertising-Opinion.docx-1.pdf>

⁴ <https://www.cambridgeshire.gov.uk/asset-library/advertising-and-sponsorship-policy-2022.pdf>

⁵ <https://www.basingstoke.gov.uk/advertising-sponsorship-policy>

⁶ <https://www.coventry.gov.uk/advertisingsponsorshippolicy>

- Encourage event partners to consider their advertising and sponsorship policies in light of the borough's carbon reduction goals, and where possible, stipulate that a policy on high-carbon advertising and sponsorship is a requirement in negotiations about the council's support.
- ~~Add a link to the Advertising and Sponsorship Policy on all relevant pages on the council's website including where promoting advertising space in Love Hackney freesheet:
<https://hackney.gov.uk/hackney-today-life-advertising>~~
- ~~To implement the agreed Advertising and Sponsorship Policy as soon as feasible.~~

Proposed by: Cllr Chris Kennedy

Seconded by: Cllr Clare Potter

13c. Green Motion - Defending Our Democratic Rights

The following amendments are proposed by the Labour Group:

This Council notes that:

- On 2 May 2023 the final stages of the Public Order Bill passed through the House of Lords, which gives the Police greater powers to prevent ~~restrict~~ people's serious disruptions ~~democratic right to protest~~ caused by protests in England and Wales.
- ~~The Act grants the Police new powers to prevent protests occurring outside of major transport networks, oil and gas and energy supplies, making "locking on" a new criminal offence, expanding Stop and Search to include suspicionless stop and search, and enacts new individual protest bans under 'Serious Disruption Prevention Orders'.~~
- Article 11 of the Human Rights Act 1998 enshrines the Right to Peaceful Assembly into British law, guaranteed by Articles 10 and 11 of the European Convention on Human Rights (ECHR)
- A Legislative Scrutiny Report published by the Joint Committee on Human Rights called for key measures in the Public Order Bill to be amended or removed in order to reverse the "chilling effect" it is likely to have on the right to protest.
- This report found that these offences have a very wide scope and criminalise those legitimately exercising their Article 10, 11, 8 and Article 6 rights.

~~This Council also notes that:~~

- Some aspects of the ~~The~~ Public Order Act 2023 have ~~has~~ been criticised by Amnesty International, Liberty, Equality and Human Rights Commission (EHRC), and the UN Human Rights Commissioner.
- ~~It follows on from the Police, Crime, and Sentencing Act 2022 which was also accused of infringing upon democratic freedoms by human rights organisations.~~
- ~~The Government lost a vote in the Lords on the Public Order Bill 2023 to change the interpretation of 'serious disruption' of other people's day-to-day activities to mean 'anything more than minor'. The Lords opposed this change by 254 votes to 240 in May~~

- ~~● The government reintroduced the change by Statutory Instrument.~~
- ~~● Green peer, Jenny Jones, put forward a fatal motion to stop this unprecedented and anti-democratic move by the government. Unfortunately, Labour peers abstained, so it passed.~~

The Council further notes that:

- The Right to Protest is a fundamental pillar of democracy.
- The objective of a protest is to peacefully disrupt and agitate for change, [such as the](#) ~~The~~ anti-apartheid and Civil Rights Movement, Women's Suffrage, Gay Pride [and](#) workers' rights. ~~and a government commitment to carbon zero by 2050 have been achieved through protest and public disruption.~~
- ~~● The Public Order Act is already having a 'chilling effect' on our right to protest.~~
- ~~● The King's Coronation in May saw over 60 people arrested by the Police, many of those on grounds of public nuisance and breaches of the peace for holding signs, chanting, reporting on the protests and standing in close proximity to those protesting.~~
- ~~● The police initially used the 'lock on' ban in the Public Order Act to justify some of these arrests and deployed the largest ever use of live facial recognition technology in the UK.~~
- ~~● Police have written to residents of the Hackney area, warning them that Live Facial Recognition will be deployed at an unknown time and location in September 2023.~~
- ~~● This technology is over 80% inaccurate according to the Met's own statistics.~~
- ~~● Amnesty International, Liberty and the ECHR have called for a ban of facial recognition technology, with reports from Amnesty International finding that it is a violation of privacy rights, is antithetical to democracy, disproportionately impacts people of colour, exacerbates systemic racism, and puts Black people at a greater risk of being misidentified.~~
- Baroness Casey's Report into the Metropolitan Police Service found that there was a deepening mistrust of the force which is institutionally racist, sexist, homophobic and 'broken', compounded by a culture of denial and obfuscation.
- ~~● Expanding the use of stop and search at protests without reasonable suspicion is likely to unjustly impact Black and Asian heritage people, and~~

~~infringe upon their Article 14 right to non-discrimination.~~

- ~~• The Met Commissioner himself has stated that the present use of stop and search 'burns through trust'.~~
- The Administration's ongoing work with the Metropolitan Police Service, MOPAC and local Borough Commander on improving standards through the Community Resilience Partnership and after the Casey Report and City and Hackney Safeguarding Children Panel Child Q reports.
- The co-production of a local action plan with Hackney communities, the Met and the Council on improving trust and confidence.

~~This Council welcomes:~~

- ~~• The Administration's ongoing work with the Met Police Commissioner and local Borough Commander on improving standards after the Casey Report and City and Hackney Safeguarding Children Panel Child Q reports.~~
- ~~• The co-production of a local action plan with Hackney communities, the Met and the council on improving trust and confidence.~~

This Council resolves to:

- ~~• Write to the Prime Minister to urge him to repeal the draconian Public Order Act and protect our fundamental democratic freedoms.~~
- ~~• Meet with the Met Commissioner to express strong dissatisfaction with the heavy-handed policing witnessed at the King's Coronation and the increasing use of live facial recognition technology across London.~~
- ~~• U2] Follow Newham and Lambeth Council's request for an urgent suspension of the use of live recognition technology in Hackney, due to the risk it poses to privacy and freedom of expression, a lack of sufficient safeguards against discrimination and an absence of biometrics regulations, and write to the Home Office, the Mayor of London, and the Metropolitan Police Service to make its opposition to LFR technology clear.~~
- Ensure [Work towards](#) Hackney's local action plan on policing [includes involves](#) consideration of alternative ways to keep communities safe, and [includes](#) community education on the Police, Sentencing and Crimes Act 2022, and the Public Order Act 2023, so that Hackney residents are [aware of briefed on](#) their rights.

- Refer local issues concerning the Right of Protest to the Hackney's Cabinet Member for Community Safety.
- Not agree to the deployment of Live Facial Recognition in Hackney until the Council is satisfied that the potential benefits to crime reduction will not lead to a further erosion of trust and confidence in policing in Hackney.

Proposed by: Cllr Susan Fajana-Thomas

Seconded by: Cllr Joe Walker

13d Standing up for Responsible Tax Conduct - Councils for Fair Tax Declaration

The following amendments are proposed by the Labour Group:

Hackney Council notes that:

- The pressure on organisations to pay their fair share of tax has never been stronger.
- Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
- Two thirds of people (66%) believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.
- Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
- It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.
- The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.
- [Labour and Co-operative MPs and councillors have been at the forefront of the fight for a fairer tax system, with numerous Labour London boroughs having signed up.](#)

Hackney Council believes that:

- ~~Paying tax is often presented as a burden, but it shouldn't be.~~
- Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
- As recipients of public funding, local authorities should take the lead in the promotion of exemplary tax conduct. ~~be that by ensuring contractors are~~

~~paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.~~

- ~~• Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.~~
- ~~• More action is needed, however, as current and proposed new UK procurement law significantly restricts councils' ability to either penalise poor tax conduct (as exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.~~
- [Hackney Council can and should stand up for responsible tax conduct](#) ~~UK cities, counties and towns can and should stand up for responsible tax conduct~~ - doing what ~~they~~ we can within existing frameworks and pledging to do more given the opportunity, ~~as active supporters of international tax justice.~~
- ~~• The following local authorities have approved the "Councils for Fair Tax Declaration" to date: Barnet, Brent, City of Westminster, Enfield Council, Hammersmith & Fulham, Haringey, Lambeth, London Borough of Richmond upon Thames, Royal Borough of Greenwich, Southwark Council in addition to thirty-nine other Councils across the UK and the London Assembly.⁷~~
- [Hackney Council's administration has long been a proponent for fair taxation and welcomes the Shadow Chancellor's statements on fair tax.](#)

Hackney Council resolves to:

- [Reaffirm its commitment to](#) ~~Approve, and publicly declare its support for,~~ the Councils for Fair Tax Declaration and enact the Declaration through the points below.
- Lead by example and demonstrate good practice in [Hackney Council's](#) ~~our~~ tax conduct, right across our activities.
- [Ensure Reaffirm that](#) IR35 is implemented robustly. ~~and contract workers pay a fair share of employment taxes.~~
- ~~• Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.~~
- Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.

⁷ <https://fairtaxmark.net/supporters/councils-for-fair-tax/supporting-councils/>

- Demand clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
- Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
- Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses that are proud to promote responsible tax conduct and pay their fair share of corporation tax.
- Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.
- [Refer the matter of the Councils for Fair Tax Declaration to the Cabinet Member for Finance and Director of Finance to explore and report back.](#)
- [Recognise the principles of Fair Tax in its Sustainable Procurement Strategy.](#)

Proposed by: Cllr Robert Chapman

Seconded by: Cllr Sam Pallis

13e The Crisis in Israel and Palestine: Call For a Ceasefire, Release Of All Hostages & More Support For Local Community Cohesion.

The following amendments are proposed by the Labour Group:

Green Group Motion: The Crisis in Israel and Palestine: Call For a Further Extension to the Truce of Friday 24 of November 2023, Focus all Efforts on Bringing a Permanent Ceasefire, Release Of All Hostages & More Support For Local Community Cohesion.

This Council notes:

1. Across Hackney residents have been horrified by the violent conflict in Israel and Palestine and are grief stricken at the loss of lives, including thousands of children; precipitated by the terror attack on Israel by Hamas on 7 October. Many, especially in Jewish, Muslim and Arab communities, are concerned for the safety of friends, family and work colleagues in the region.
2. Previous conflicts in the region have been associated with increases in community tensions, Islamophobia, antisemitism and hate crime in the UK.
3. There has been a worrying rise in antisemitic and Islamophobic hate crime in Hackney since the terror attacks by Hamas on Israelis on 7th October and the latest siege, bombardment and ground invasion of Gaza. Hackney stands against Antisemitism, Islamophobia, xenophobia and all forms of racism and hate crime, passing motions to adopt the IHRA definition of Antisemitism and the All-Party Parliamentary Group on British Muslims definition of Islamophobia.
4. That a range of international humanitarian organisations have been urgently calling for peace in the region and for a two-state solution. ~~a ceasefire, including Oxfam, Save the Children, Medecins Sans Frontières, Muslim Aid, War on Want, War Child and Amnesty International.~~
5. That Hackney is twinned with Haifa city in Israel. Haifa is 160km from the Gaza Strip.⁸
6. The brilliant work by Council officers, faith and community groups and partners including the Community Security Trust, Tell Mama and the police leaders across the borough to hold our community together, provide solace for today and hope for the future.

⁸ <https://hackney.gov.uk/twinning/#israel>

7. The vital and ongoing work undertaken by the Council with partners to ensure the safety of our communities, which includes:
- Increasing the number of council enforcement patrols and deploying the council's mobile CCTV van into vulnerable communities
 - Meeting with the borough commander and continuing to work closely with the police to support their work
 - Co-hosting, with the police, community stalls around the borough as part of national hate crime awareness week
 - Responding swiftly to hate incidents, crimes and anti-social behaviour
 - Writing to faith leaders to express our support
 - Reaching out to our Jewish and Muslim community partners in particular to reiterate the work the Council is undertaking with the police to keep the community safe
 - Writing to all schools and education settings, including faith schools, and offering ongoing security liaison, support, resource and guidance
 - Holding interfaith events.

This Council believes:

8. ~~There must be an immediate ceasefire~~ The current truce in the Middle East is a vital step to ending the violence. Humanitarian aid and basic services must be immediately restored. Hostages must be immediately released.
9. ~~A just and lasting peace in the region cannot and will not be brought about through violence, but will only be the result of a political negotiation based on democratic principles, equal rights for all and an end to occupation negotiated by the people of the region.~~ Peace, justice and reconciliation in the region is likely to have a positive impact on community cohesion in Hackney, particularly for Jewish and Muslim residents.
10. There can be no place for hate in our Borough. Hackney must be a safe place for those of all faiths and nationalities. We must support those whose families and loved ones are caught up in this conflict. We must also stand up for those who may be perceived by others, because of faith or race, to have links to the region and do not, instead suffering from prejudice and discrimination; ~~And~~ and as a Borough of Sanctuary we extend a special welcome to those fleeing war and persecution. ~~and must do all we can to avoid that journey becoming a necessary last resort of many who would not otherwise wish to leave their homes.~~

This Council resolves:

11. To ask the Mayor to write to the UK government, calling on them to:

- a. ~~Ask them to call for an immediate ceasefire and immediate release of all hostages.~~ Call for further extension to the truce of Friday 24 of November 2023, an immediate release of all hostages and focus all efforts on bringing a permanent ceasefire and lasting peace in the region.
 - b. ~~Ask them to~~ Call for a renewed peace process to establish a political settlement that guarantees freedom, justice, ~~and~~ safety and security for both Israelis and Palestinians, including a two-state solution.
 - c. Continue to provide ~~Request~~ central government funding to support community cohesion and peace-making at a local level.
12. To continue to work with borough partners to ensure safety for our Muslim and Jewish communities, hold interfaith events ~~more~~ regularly, and to be ready to welcome refugees ~~from the Occupied Palestinian Territories.~~
13. To continue to eEncourage interfaith and community groups to apply bid for funding, like Local Initiative Funding, to support community cohesion, peace-making and celebrating how Hackney fosters harmony between our diverse communities.

Proposed by: Cllr Guy Nicholson
Seconded by: Cllr Ian Rathbone