



# COUNCIL

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

Wednesday, 25th November, 2015

at 7.00 pm

in the Assembly Halls, Hackney Town Hall,  
Mare Street, London E8 1EA

**Gifty Edila**  
**Corporate Director**  
**Legal, HR and Regulatory Services**

Contact: Emma Perry  
Governance Services  
Tel: 020 8356 3338  
[governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

The press and public are welcome to attend this meeting

## MEETING INFORMATION

### Future Meetings

27 January 2016  
2 March 2016  
25 May 2016 (AGM)

### Contact for Information

Emma Perry, Governance Services  
Tel: 020 8356 3338  
[governance@hackney.gov.uk](mailto:governance@hackney.gov.uk)

### Location

Hackney Town Hall is on Mare Street, bordered by Wilton Way and Reading Lane. For directions please go to <http://www.hackney.gov.uk/contact-us>

### Facilities

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in the Assembly Halls, rooms 101, 102 & 103 and the Council Chamber. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

AGENDA ITEM NUMBER	AGENDA ITEM	INDICATIVE TIMINGS:
1 – 4	Preliminaries	5 minutes
5	Deputations	45 minutes
6	Questions from Members of the Public	15 minutes
7	Questions from Members of the Council	30 minutes
8	Elected Mayor's Statement	20 minutes
9	City and Hackney Safeguarding Adults Board Annual Report 2014-15	5 minutes
10	Hackney Transport Strategy 2015-2025	5 minutes
11	Planning Contributions (SPD) 2015	5 minutes
12	Draft North London Waste Plan	5 minutes
13	Statement of Licensing Policy 2016	5 minutes
14	Gambling Policy (Statement of Principles) 2016 to 2019	5 minutes
15	Resolution Not to issue Casino Licences under the Gambling Act 2005	5 minutes
16	Changes to the Council's Constitution – Officer Employment Procedure Rules	5 minutes
17	Use of Special Urgency Provisions	5 minutes
18	Standards Committee Annual Report 2014-15	5 minutes
19	Pensions Committee Annual Report	5 minutes

20	Preventing Depression and Anxiety in Working Age Adults	5 minutes
21	Residential Development and Affordable Housing Gain Review	5 minutes
22	Motions	30 minutes
23	Appointments to Committees/Commissions	-

## Council Agenda

### 1 Apologies for Absence

### 2 Speaker's Announcements

### 3 Declarations of Interest

This is the time for Members to declare any disclosable pecuniary or other non-pecuniary interests they may have in any matter being considered at this meeting having regard to the guidance attached to the agenda.

### 4 Minutes of the previous meeting - 22 July 2015

(Pages 1 -  
24)

### 5 Deputations

#### a) Development of land at Colvestone Crescent/Ridley Road adversely affecting Colvestone School

On 13<sup>th</sup> November 2001 the Council sold a small area of land on the southern boundary of Colvestone Primary School subject to a covenant reserving the right to uninterrupted and unheeded access of light over the land sold to the Council's retained land.

The retained land is the school's nursery playground and outdoor learning area for toddler's aged from 3 to 5 years old. Sunlight is essential to the education, health and sense of wellbeing of the children.

In 2005 planning permission was refused to erect a two storey building because "the proposed development by reason of its design size siting and materials would adversely affect the setting of a Grade II Statutory Listed Building (Colvestone School).

On 2<sup>nd</sup> September 2015 planning permission was granted for erection of a three storey building for a café and two flats above the land. The permitted building will cast shadow over the school's outdoor amenity and obscure views of the Grade II listed building which is at the entrance of the St Mark's Conservation area.

We request that the Council now resolves to enforce its' right to prevent any development of the land which will obstruct sunlight to the school's land.

To be introduced by Cllr Snell  
Speaker: David Gething

#### b) London Living Wage

The purpose of our deputation is to request that the Council takes action to ensure that staff employed as cleaners or

catering workers in Hackney Schools all receive the London Living Wage. Our deputation is on behalf of staff employed in schools working for contractors. What we have found is that while the Council, schools and where appropriate the Diocese is committed to the London Living Wage, contractors are being engaged who will not pay the London Living Wage. Some staff are on minimum wage levels. We also have evidence of long term zero hour contracts. It is also the case that company sick pay is not available. We therefore request that the Council write to all schools in the borough requesting that with immediate effect contracts are re-costed to include the London Living Wage.

To be introduced by Cllr Gregory  
Speaker: TBC

**c) Mental Health Services in Hackney**

**GAP Hackney Project was set up during the general election to promote political participation by mental health service users.**

GAP Hackney aims to empower people with lived experience of mental illness to make lasting changes and advance the physical and mental health, wellbeing and safety of Borough residents by influencing policy and practice. We champion 'Experts by Experience' (of lived mental health difficulties), as uniquely placed to contribute to community dialogue. Our project utilises participant knowledge in conjunction with the expertise of professionals. GAP Hackney will foster community cohesion by tackling stigma, facilitating cross-community discourse and empowering marginalised people to advance their concerns.

**However, without formal involvement and cooperation of Hackney Council Members, our aim to impact policy cannot be fully attained.**

**Background**

- The Hackney turnout for the 2015 General Election was around 56%. As a result of registration changes 23% of Hackney voters could 'fall off' the electoral register. (hope not hate 20150)
- Those unregistered are disproportionately likely to be affected by poor mental health and deprivation
- Our project seeks to prevent extent of exclusion **of those who suffer mental health issues and community mental health service users** by encouraging the participation of residents to enhance policy to improve mental health and wellbeing.
- 9 out of 10 people with mental health illness report the negative impact of stigma and discrimination in their lives (Time to Change, 2008); thus the inclusion of service user voices in policy debate could strengthen their relationship

to Councillors significantly and mitigate these difficulties

- The project can positively improve the economic and mental wellbeing of residents by encouraging their consultation to influence the political agenda, and platforming local relevant issues.

#### **However, what we are seeing is:-**

- According to the Royal College of Psychiatrists, psychiatric in-patients who were eligible to vote in the 2010 General election were half as likely to register or vote as the general population.
- 9 out of 10 of those unregistered cited a lack of knowledge of their eligibility to vote or of the registration process.
- There is a need to address the lack of awareness by consciously prompting direct involvement of mental health service users and disseminating information clearly.
- In the community there is a huge lack of support for those who wish to make comment, complaints or suggestions.

#### **The result:-**

- **People experiencing mental health issues are becoming increasingly disenfranchised.**
- **With no direct link to the needs and view-points of mental health service users, policy changes made by Councils and government are out-of-touch and unfit for purpose.**
- **Lack of knowledge of where to access support and not being heard negatively reinforces stigma within communities.**
- **Due to lack of understanding within Council and government changes made due to budget cuts often adversely affect a disproportionate number of those people who access mental health services.**
- **Voices of those who suffer mental health issues are not taken seriously.**

#### **What we hope to achieve:**

A key strength of GAP Hackney is its flexibility in relation to the requirements of its participants, and thus income will be generated according to its adaptations. Whilst currently working closely with the Council Mental Health Champion, GAP Hackney will expand its partnership with local services and community organisations.

The project may highlight good practices for other local authorities seeking to enhance the democratic involvement of service users, and feed into national movements for similar inclusion, such as campaigns led by National Mind or Time to Change.

By encouraging self-empowerment, individuals are equipped with tools for life in terms of personal advocacy, political participation and community involvement.

The project establishes three integrative levels of representation. Discussion Forums will collate the views of local people. This will inform a Working Group of professionals and 5 appointed Advocates (with lived experience), to consider related policies. The Advocates will attend key meetings and work with professionals to strengthen the voices of those affected by ill mental health. The Advocates will also be trained and supported to join decision making fora such as within the CCG, East London Foundation Trust and Hackney Council, and will be available to sit on interview panels for senior roles within statutory mental health services.

### **What we are asking from the Council:-**

1) To include properly trained representatives of mental health service users at key decision making for a such as the Health and Wellbeing Board, the Integration Board and other relevant fora.

2) Schedule quarterly meetings with GAP Hackney and senior Council Officials such as the Director of Public Health so that users of mental health services can give feedback on the services being provided and highlight any issues that need to be addressed. The aim is to open the lines of communication between council and service user community.

To be introduced by Cllr Rahilly  
Speaker: TBC

## **6 Questions from Members of the Public**

### **6.1 From Mami McKeran to the Mayor:**

“Hackney Council recently approved development of a 3 storey structure with a 31ft x 30ft brick wall bordering Colvestone Primary School's nursery playground despite a 2001 covenant placed on the site by the Council protecting the school's *right to uninterrupted access to light*. Will the Council resolve to enforce its own covenant?”

### **6.2 From David Clarke to the Chair of the Pensions Committee:**

“Earlier this year, the Pensions Committee announced a formal review into the possibility of divesting from fossil fuel companies. As the future of local authorities' fossil fuel investments come under increasing scrutiny, what happens in Hackney will be watched closely by elected officials, investors and campaigners up and down the country. I'd like to ask the Chair of the Pensions Committee to give an outline of how the review will be carried out and how the committee will arrive at its decision.”

- 6.3 From Christopher Sills to the Mayor:  
“Would you agree with me that the current refugee crisis in Europe is likely to result in a significant number of refugees arriving in Hackney over the winter and what contingency plans are being made to reduce any resulting problems for the refugees themselves and existing residents.”

## **7 Questions from Members of the Council**

- 7.1 From Cllr Odze to the Mayor:  
“Why has the totalitarian regime of this Mayor yet again ignored the clearly expressed wishes of several thousand Stamford Hill residents and businesses and is cooperating with TfL in routing Cycle Superhighway 1 on a route that undermines the safety of schoolchildren and is guaranteed to cause further traffic chaos.”
- 7.2 From Cllr Patrick to the Cabinet Member for Housing:  
“Can the Cabinet Member for Housing tell me what impact he thinks the Housing and Planning Bill will have on the supply of council and social rented homes in Hackney?”
- 7.3 From Councillor Sharer to the Deputy Mayor:  
“What is Hackney Council doing in ensuring the safety of residents if the proposed cuts in the Police service go ahead?”
- 7.4 From Cllr Peters to the Cabinet Member for Health, Social Care and Culture:  
“To ask the Cabinet Member for Health what the Council is doing to help people with autism, both children and adults, to lead full lives as members of our community in Hackney?”
- 7.5 From Councillor Jacobson to the Cabinet Member for Housing:  
“What is Hackney Council doing in restricting the Right-To-Buy?”
- 7.6 From Cllr Rickard to the Deputy Mayor:  
“Today (25 November) is International Day for the Elimination of Violence Against Women, could the Deputy Mayor update members on the work the Council does to tackle violence against women living in Hackney.”
- 7.7 From Cllr Adams to the Cabinet Member for Regeneration:  
“To ask the Cabinet Member for Regeneration how many square metres of office floor space have been lost in Hackney since the introduction of the new policy of allowing developers to convert offices to residential without permission?”
- 7.8 From Cllr Potter to the Cabinet Member for Finance:  
“To ask the Cabinet Member for Finance what progress has been made in ensuring that Council employees and contractors are paid the London Living Wage, in accordance



with Labour's manifesto commitment?"

- 7.9 From Cllr Muir to the Cabinet Member for Housing:  
"To ask the Cabinet Member for Housing to provide members with an update on the Council's Estate Regeneration programme?"
- 7.10 From Cllr Rennison to the Cabinet Member for Finance:  
"To ask the Cabinet Member for Finance for an update on the roll-out of Universal Credit in Hackney?"
- 7.11 From Cllr Rathbone to the Chair of the Pensions Committee:  
"To ask the Chair of the Pensions Committee what the progress is on looking at how the Council can divest its pension fund of investments in fossil fuels?"

**8 Elected Mayor's Statement (Standing Item)**

- 9 Report from Cabinet: City and Hackney Safeguarding Adults Board Annual Report 2014-15** (Pages 25 - 98)
- 10 Report from Cabinet: Hackney Transport Strategy 2015 to 2025** (Pages 99 - 108)
- 11 Report from Cabinet: Planning Contributions (SPD) 2015** (Pages 109 - 116)
- 12 Report from Cabinet: Draft North London Waste Plan** (Pages 117 - 126)
- 13 Statement of Licensing Policy 2016** (Pages 127 - 132)
- 14 Gambling Policy (Statement of Principles) 2016 to 2019** (Pages 133 - 138)
- 15 Resolution Not to Issue Casino Licences under the Gambling Act 2005** (Pages 139 - 144)
- 16 Report of the Corporate Director Legal, HR and Regulatory Services: Changes to the Council's Constitution - Officer Employment Procedure Rules** (Pages 145 - 158)
- 17 Report of the Mayor: Use of Special Urgency Provisions** (Pages 159 - 160)
- 18 Standards Committee Annual Report 2014-15** (Pages 161 - 172)
- 19 Pensions Committee Annual Report 2014-15** (Pages 173 - 184)
- 20 Report of the Health in Hackney Scrutiny Commission and Executive Response: Preventing Anxiety and Depression in Working Age Adults** (Pages 185 - 242)

**21 Report of the Living in Hackney Scrutiny Commission and Executive Response: New Residential Development and Affordable Housing Gain Review**

(Pages  
243 - 316)

**22 Motions**

**a Charges for access to cash**

Council notes:

1) the increasing reliance on Automated Teller Machines (ATMs) for accessing cash over recent decades as bank branches have closed.

2) the large proportion of ATMs charging a fee to withdraw cash.

3) that these fees are most onerous on the poor, who typically withdraw smaller amounts of money in each transaction.

4) that fee-charging ATMs appear to be particularly common in areas which are already deprived.

5) that, taken together, these charges extract a significant percentage of the money held both by individuals and circulating in the local economy as a whole.

Council believes:

1) that the lack of free access to cash withdrawals is a significant problem within the borough, especially for the low-paid and socially excluded.

2) that the ability for people to access their own money without being charged a premium would be of real benefit to the people of Hackney and to the local economy.

3) that it should be an agreed policy of this Council to extend the availability of fee-free access to cash.

Council resolves:

1) to carry out an audit of ATM provision in Hackney to assess the extent of this problem and identify neighbourhoods and communities that are particularly hard hit.

2) to identify locations where Council-owned or controlled properties could become sites for fee-free ATMs to extend these services throughout Hackney – giving particular emphasis to those areas identified as at most disadvantage.

3) to work with other public sector bodies operating in Hackney, such as the NHS, Transport for London, Network Rail and Job Centre Plus to provide further sites.

4) where necessary and feasible, to include the siting of a fee-free ATM as a condition of planning and licensing decisions for properties in key areas.

5) to liaise with the Banks and other providers with a goal in promoting and ensuring that all Hackney residents are within easy walking distance to a non fee ATM.

**Proposed by Cllr Jacobson  
Seconded by Cllr Sharer**

**b Trade Union Bill**

Hackney Council recognises the positive contribution that trade unions and trade union members make in our workplaces. Hackney Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.

Hackney Council notes with concern the Trade Union Bill which is currently being proposed by this Government and which would affect this Council's relationship with our trade unions and our workforce as a whole. This Council rejects this Bill's attack on local democracy and the attack on our right to manage our own affairs.

This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by any Government in London or indeed this country.

This Council is happy with the arrangements we currently have in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and easy way to administer system that supports our staff. This system is an administrative matter for the Council and public services and should not be interfered with by the UK Government.

This Council resolves to support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.

This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will continue to take every legal and reasonable measure to maintain its autonomy with regard to facility time and the continuing use of check-off

**Proposed by Cllr Gregory  
Seconded by Cllr Gordon**

**c Promoting Positive Mental Health Across Hackney**

This Council notes:

- It is estimated that at any one time, 16.3 per cent of the adult population of Hackney experience a severe or common mental illness and 9.6 per cent of children and young people will experience any type of disorder.
- Hackney has higher rates of severe and common mental illnesses than the averages for London and England
- People with a severe mental illness die up to 20 years younger than their peers in the UK
- There is often a circular relationship between mental health and issues such as housing, employment, family problems, poverty or debt

This Council believes:

- As a local authority we have a crucial role to play in improving the mental health of everyone in our community and in tackling some of the most entrenched inequalities in health, with particular responsibilities around public health and preventative action.
- Mental health should be a priority across all the Council's areas of responsibility, including children's services, health, housing, community safety and planning.
- All Councillors can play a positive role in championing action to improve mental health on an individual and strategic basis

This Council resolves:

- To demonstrate our commitment to promoting positive mental health across Hackney by signing up to the "Local Authorities' Mental Health Challenge" run by Centre for Mental Health, Mental Health Foundation, Mental Health Providers Forum, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.
- In particular, we commit to:
  1. Appoint an elected member to act as a 'mental health champion' across the Council
  2. Identify a 'lead officer' to lead action on improving support for mental health across the local authority
  3. Develop a mental health action plan setting out the steps the council will take to promote positive mental health and reduce mental health inequalities across Hackney,
  4. Work with local partners to support action to promote good mental health and integrate support for people with mental health needs
  5. Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health
  6. Report to members of the Council on progress in

delivering our mental health action plan, and progress in improving mental health across Hackney on an annual basis.

7. Sign up to the Time to Change pledge

**Proposed by Cllr Rahilly**  
**Seconded Cllr McShane**

**23 Appointments to Committees/Commissions (Standing Item)**

## RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting. Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording 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 by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting room. The press and public are not permitted to use any means which might enable them to see or hear the proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

## ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to **all** Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in

a particular matter. If you need advice, you can contact:

- The Corporate Director of Legal, HR and Regulatory Services;
- The Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

## **1. Do you have a disclosable pecuniary interest in any matter on the agenda or which is being considered at the meeting?**

You will have a disclosable pecuniary interest in a matter if it:

- relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

## **2. If you have a disclosable pecuniary interest in an item on the agenda you must:**

- Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- You must leave the room when the item in which you have an interest is being discussed. You cannot stay in the meeting room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the room and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

## **3. Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?**

You will have 'other non-pecuniary interest' in a matter if:

- It relates to an external body that you have been appointed to as a Member or in another capacity; or

- ii. It relates to an organisation or individual which you have actively engaged in supporting.

#### **4. If you have other non-pecuniary interest in an item on the agenda you must:**

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the room, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the room unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the room or public gallery whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the room. Once you have finished making your representation, you must leave the room whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the room. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

#### **Further Information**

Advice can be obtained from Gifty Edila, Corporate Director of Legal, HR and Regulatory Services, on 020 8356 3265 or email [Gifty.Edila@hackney.gov.uk](mailto:Gifty.Edila@hackney.gov.uk)



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