

MINUTES OF A MEETING OF THE CORPORATE COMMITTEE

TUESDAY, 27TH MARCH, 2018

- Councillors Present:** Councillor Jessica Webb in the Chair
Cllr Susan Fajana-Thomas (Vice-Chair),
Cllr Vincent Stops, Cllr Sally Mulready, Cllr Katie Hanson and Cllr Mete Coban
- Apologies:** Councillor Barry Buitekant, Councillor Nick Sharman, Councillor Will Brett, Councillor Laura Bunt and Councillor Clare Potter
- Officers in Attendance:** Dan Paul (Head of Human Resources and Electoral Services), Aled Richards (Director of Public Realm) and Gerry McCarthy (Head of Community Safety, Enforcement and Business Regulations),
- Also in Attendance:** Cllr Caroline Selman (Cabinet Member for Community Safety, Policy, and the Voluntary Sector).

1 Apologies For Absence

- 1.1 Apologies for absence were received from Cllrs Brett, Bunt, Oszen, Kennedy, Potter, Buitekant and Sharman.

2 Declarations Of Interest - Members To Declare As Appropriate

- 2.1 There were no declarations of interest.

3 Consideration Of Minutes Of The Previous Meeting

- 3.1 The minutes of the meeting held on 12 December 2017 were agreed as a correct record.

4 HR Policy: Additional Leave For Parents Of Premature Babies

- 4.1 Dan Paul introduced the report seeking approval to extend the maternity and paternity leave to assist Council's employees in dealing with the premature birth of a baby born before 37 weeks that remains in neonatal intensive care. It was emphasised that the costs for the Council was negligible but that it would have a significant impact for parents. The Council had chosen to take a proactive approach to assist its employees to manage work and family commitments during this stressful period. The policy would also enable managers to manage employees that had premature babies.

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4.2 Cllr Stops enquired about the background to the amendment to this policy. Mr Paul advised that the amendment had resulted from a campaign undertaken by the Smallest Things Group requesting additional leave for parents of premature babies. Hackney Council had followed the approach taken by many London Boroughs to amend its existing maternity leave policy to address this issue.

RESOLVED:

- 1 Approve the following additional wording to be added to the Maternity Leave Policy:**

With effect from 1 April 2018, parents of babies born before 37 weeks will be entitled to receive 1 extra day of Premature Baby Leave on full pay for every day their premature baby spends in hospital before 37 weeks. This leave entitlement will be added to the end of the employee's Maternity Leave period. The employee's normal entitlement to Maternity Leave will continue to apply and will not be affected by this scheme.

- 2 Approve the following additional wording to be added to the Maternity Support Leave / Paternity Leave Policy:**

With effect from 1 April 2018, parents of babies born before 37 weeks will be entitled to receive 1 extra day of Premature Baby Leave on full pay for every day their premature baby spends in hospital before 37 weeks. This leave entitlement will be added to the end of the employee's Maternity Support Leave / Paternity Leave period after this leave entitlement has been exhausted. The employee's normal entitlement to Maternity Support Leave and Paternity Leave will continue to apply and will not be affected by this scheme.

Employees will be eligible for this Premature Baby Leave entitlement if they are the biological father of the child or the mother's husband or partner. This also applies to same sex relationships.

5 Environmental Enforcement - Annual Assessment Of The Local Environmental Quality Enforcement Strategy And Annual Performance Report 2016/17

5.1 NOTED the appendix to the report, which was circulated at the meeting.

5.2 Gerry McCarthy introduced the report setting out the annual performance report across the Environmental Enforcement remit for the financial year 2016/17 and the annual strategic assessment of the Local Environmental Quality Enforcement Strategy. This was the first report since the implementation of the new Community Safety, Enforcement and Business Regulation Service in May 2017.

5.3 Mr McCarthy outlined the service's objectives, priorities and KPIs. He stated that the service had exceeded the KPI targets set for 2016/17 except for the tonnage of unregulated waste, which had been identified as a priority area for 2017/18. Mr McCarthy highlighted the enforcement activities undertaken by the service which included unregulated waste, highway obstructions, dog control and fouling, illegal street trading, flyposting, 'A' Boards and the partnerships with the Police and other

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Council services to enforce Night Times Economy (NTE) areas. Mr McCarthy advised that the Council had reviewed its LEQ Enforcement Strategy and processes in particular, the transparency of the complaints process in respect of Fixed Penalty Notices to ensure the Council was complying with the Regulators Code. Since the new service had come into effect in May 2017 it had created an Integrated Partnership Unit and Intelligence Hub, Business Regulation Unit, Generic Uniformed Borough Wide Enforcement and a single point of contact for customers. The service was also improving its response times for the out of hours service, reducing the regulatory burden upon businesses and introduced an enhanced role design ensuring the service was flexible and resources could be allocated to meet service demands.

5.4 Cllr Coban asked how the service was working in partnership with other Council services to engage and educate businesses to change their behaviour towards waste. Mr McCarthy stated that Enforcement Officers were working in conjunction with the Waste Team to support businesses to understand and comply with business regulations. Businesses in breach of regulations were issued with warnings and enforcement action was only considered against persistent offenders. The team was in the process of producing a starter pack for SME businesses providing all relevant information on business regulations including obtaining waste contracts.

5.5 Cllr Fajana-Thomas enquired further in relation to the recovery of fines and the reporting of flytipping incidents. Mr McCarthy explained that any fines resulting from a successful enforcement prosecution by the Council would be paid to the court and then collected by the Council. Mr Richards added that officers always took the approach to support businesses and that prosecutions were only pursued against businesses that persistently breached regulations. Mr McCarthy stated that if Members were aware of any flytipping in the borough they could report it directly to himself.

5.6 Cllr Stops referred to the illegal use of 'A' Boards on the Red Routes in Dalston, which were causing a hazard for blind and partially blind people. He stressed that the Council needed to pressure TfL into tackling this issue on TfL's Red Routes. Mr Richards advised that he had met with representatives of TfL and reported that TfL was still trying to recruit four highway enforcement officers in London and one of these posts was specifically for Hackney which had made it a challenge for TfL to enforce illegal use of 'A' Boards on its highway. TfL had indicated that it would be meeting fortnightly to find a way forward. Cllr Selman stated that a meeting would be arranged with TfL to progress this issue. Mr McCarthy advised that TfL could delegate the powers to the Council to undertake enforcement of the highway in relation to 'A' Boards.

5.7 Cllr Stops stated that it was imperative that the Council tackle the use of unlicensed street furniture on public footways and for a more effective street trading licensing system to be in place requiring businesses to display their table and chairs licence in the premises window which would make it easier to immediately identify any illegal use and enforcement action taken as necessary. Cllr Selman explained that the Council had reviewed its policy in February 2018 to include a photograph of the licensee on the licence and was now awaiting confirmation that the revised policy requiring businesses to display their street licence in the premises window had been implemented and was being enforced.

ACTION: Cllr Selman will provide an update on the implementation of the tables and chairs licence policy.

5.8 With regard to the inconsistent enforcement approach towards businesses with unlicensed furniture on the public footway on Broadway Street market, Mr Richards indicated that clarification would be sought from Market Service regarding the enforcement of the use of tables and chairs without a licence and that this matter would be referred to Markets.

5.9 Cllr Stops enquired about the time band system for waste collection within the report. Mr McCarthy explained that time bands were in place on busy streets where domestic and commercial waste were collected. Any changes to the time bands would require public consultation.

RESOLVED:

To note the annual performance report for the service and the annual assessment of the Local Environmental Quality Enforcement Strategy 2016/17.

6 Annual Performance Report Of The Noise Service

6.1 Gerry McCarthy introduced the annual report on the performance of the Noise Service. He provided a background to the service and stated that the amalgamation of Noise Nuisance and Anti-Social Behaviour Services had enabled the new service to provide a wider range of enforcement officers to tackle different issues.

6.2 Mr McCarthy highlighted the key points of the service including the approach taken to deal with noise complaints that had led to a gradual reduction in noise nuisance cases, the majority of nuisance complaints were resolved at Stage 1 of the complaints process, the key challenges for the service, online system for reporting noise complaints, triage and engagement, improvements to the out of hours response service and the rising number of temporary event notices (TENs) including "late TEN" which had placed significant demands on the service's resources. It was emphasised that Hackney had received the highest TENs applications in London.

6.3 Cllr Hanson enquired about the complaints relating to construction noise. Mr McCarthy stated that the Council had received a number of complaints relating to this issue. The increase in the number of developments in the borough had led to an increase in the average number of notices served or applications for consent approved under s60 and s61 of the Control of Pollution Act 1974. The Construction Agreement between the Council and contractors had been successful in reducing construction noise and construction sites were being monitored regularly to minimise noise nuisance. Mr Richards indicated that the service planned to take a more active response to construction noise over the coming year.

6.4 Cllr Mulready sought clarification regarding the four agency staff employed within the service. Mr McCarthy stated that staff were employed on a demand management basis and that two agency workers were covering maternity leave. The other two agency workers were employed for the out of hours service and reviewed on a monthly basis. Mr Richards added that the Council had a high turnover of staff and agency staff was required to fill vacancies. The service adopted a flexible resourcing strategy and put additional resources in areas during peaks in noise nuisance or ASB to meet these needs. Cllr Selman clarified that the two agency workers on the out of service hours were covering vacancies within the services.

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6.5 Members were invited to provide comments on the draft Environmental Protection Service Delivery Plan directly to officers. The Chair thanked the officers involved in producing the draft plan for this meeting.

RESOLVED:

To note the annual performance report for the service.

7 Annual Report Of Public Space Protection Order (PSPO) Previously Designated Public Places Order (DPPO)

7.1 Gerry McCarthy introduced the report and provided a brief a background to the PSPO. Mr McCarthy highlighted the key points in the report relating to alcohol related anti-social behaviour (ASB) including the reduction in the number of complaints from 609 in 2012 to 22 in 2017, the Partnership Tasking Group to tackle the issues of street population related anti-social behaviour and identify any emerging or actual hotspots and allocate resources as appropriate, and referral to support agencies to provide support and treatment for street drinkers

7.2 Cllr Hanson indicated that with the under resourcing of the 101 number if there were any alternative ways of reporting anti-social behaviour. Cllr Selman advised that the Council also operated an online reporting system for the public to report incidents of anti-social behaviour.

7.3 Cllr Stops referred to the hotspots Gillett Square, Narrow Way and Dalston Junction and asked if there any other hotspots for street drinking in the borough. Mr Richards indicated that there were approximately 5 to 6 locations including Mare Street with persistent issues of alcohol related anti-social behaviour and that the Group Director of Neighbourhoods and Housing had convened a working group to specifically tackle this issue. This group would be reviewing the support currently offered to street users. Mr McCarthy stated that a lot of support had been provided to street users in the borough and businesses had also been encouraged to work in conjunction with the Council to address anti-social behaviour in hotspot areas such as the Narrow Way. Mr Richards stated that the Council was targeting support to street users by collecting information through mapping street users and that many users had support service networks across Public Health. There were currently 75 street drinkers, predominately men, which had been offered support services.

7.4 Cllr Fajana-Thomas enquired whether the Council's Community Safety Wardens could attend future quarterly Ward Forum meetings along with the Local Neighbourhood Policing in order to work together to tackle street drinking related anti-social behaviour. Mr McCarthy stated that the Council's Wardens already attended the monthly meetings of the Partnership Tasking Group however he would refer the request to the Wardens to progress. Cllr Selman added that the Council was improving the induction packs providing contacts details and looking at ways to make it easier for joined up working and linking partners to jointly tackle this problem.

7.5 The Chair emphasised the Council's desire to deal with homeless and assured Members that that the Council was actively providing support to street users to assist them off the street and prevent anti-social behaviour.

RESOLVED:

To note the content of this report and level and the scope of work being carried out to meet the requirements of the PSPO

8 Work Programme 2018/19

RESOLVED to note the draft work programme for 2018/19.

9 Any Other Business Which In The Opinion Of The Chair Is Urgent

9.1 There was no other urgent business.

Duration of the meeting: 6.30pm – 8.00pm

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