



CORPORATE COMMITTEE

Tuesday, 12th December, 2017

at 6.30 pm

Room 102, Hackney Town Hall, Mare Street,
London E8 1EA

Committee Membership

Cllr Barry Buitekant
Cllr Jessica Webb (Chair)
Cllr Susan Fajana-Thomas (Vice-Chair)
Cllr Katie Hanson, Cllr Christopher Kennedy
Cllr Michael Levy, Cllr Nick Sharman
Cllr Vincent Stops, Cllr Ian Sharer
Cllr Will Brett, Cllr Sally Mulready
Cllr Laura Bunt, Cllr Mete Coban
Cllr Clare Potter, Cllr M Can Ozsen

Tim Shields
Chief Executive

Contact:
Rabiya Khatun
Governance Services Officer
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The press and public are welcome to attend this meeting

AGENDA

Tuesday, 12th December, 2017

ORDER OF BUSINESS

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Access and Information

Location

Hackney Town Hall is on Mare Street, bordered by Wilton Way and Reading Lane, almost directly opposite Hackney Picturehouse.

Trains – Hackney Central Station (London Overground) – Turn right on leaving the station, turn right again at the traffic lights into Mare Street, walk 200 metres and look for the Hackney Town Hall, almost next to The Empire immediately after Wilton Way.

Buses 30, 48, 55, 106, 236, 254, 277, 394, D6 and W15.

Facilities

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall.

Induction loop facilities are available in the Committee Rooms and Council Chamber

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

Copies of the Agenda

The Hackney website contains a full database of meeting agendas, reports and minutes. Log on at: www.hackney.gov.uk

Paper copies are also available from Governance Services whose contact details are shown on page 1 of the agenda.

Council & Democracy- www.hackney.gov.uk

The Council & Democracy section of the Hackney Council website contains details about the democratic process at Hackney, including:

- Mayor of Hackney
- Your Councillors
- Cabinet
- Speaker
- MPs, MEPs and GLA
- Committee Reports
- Council Meetings
- Executive Meetings and Key Decisions Notice
- Register to Vote
- Introduction to the Council
- Council Departments

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 Director of Legal
- 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:

- i. 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 Suki Binjal, Interim Director of Legal on 020 8356 6234 or email suki.binjal@hackney.gov.uk



MINUTES OF A MEETING OF THE CORPORATE COMMITTEE

MONDAY, 30TH OCTOBER, 2017

- Councillors Present:** Councillor Jessica Webb in the Chair
Cllr Susan Fajana-Thomas (Vice-Chair),
Cllr Katie Hanson, Cllr Christopher Kennedy,
Cllr Nick Sharman, Cllr Vincent Stops,
Cllr Sally Mulready, Cllr Clare Potter and
Cllr M Can Ozsen
- Apologies:** Councillor Michael Levy, Councillor Ian David Sharer, Councillor Will Brett, Councillor Laura Bunt and Councillor Mete Coban
- Also in attendance** Cllr Caroline Selman
Cllr Carole Williams
- Officers in Attendance:** Dan Paul (Head of Human Resources and Electoral Services) , Seamus Adams (Head of Parking and Markets Service) and Gerry McCarthy (Head of Community Safety, Enforcement and Business Regulations)

1 APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Levy, Sharer, Brett, Bunt and Coban.

1 DECLARATIONS OF INTEREST - MEMBERS TO DECLARE AS APPROPRIATE

2.1 There were no declarations of interest.

3 CONSIDERATION OF MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the previous meeting held on 28 March 2017 were agreed as a correct record.

3.2 Matters Arising

3.2.1 Corporate Committee reports

The Chair reported that since the previous meeting she had written to the Chief Executive requesting a meeting with the Chair, Vice-Chair and Councillor Sharman to discuss the issues raised concerning the contents of Corporate Committee reports. The Chair advised that the Chief Executive had indicated that he would be willing to hold a meeting only with the Chair and Vice Chair.

3.2.2 Construction waivers

Councillor Hanson sought clarification regarding the progress made on publishing the list of construction waivers on the Council's website and requested an update.

Actioned: Ashraful Haque

With regards to the Geographical Information System (GIS) layer on the database, unfortunately we are still in the process of migrating to a new database which will allow us to complete the BI update. We will need to update the system so it works with the BI model. Once this has been finalised, we will then need to discuss with ICT about the mapping. However, as you can imagine there are always delays to such things and we are already behind schedule with the migration. But I have put a provisional target date of end of Q4 to have the system ready. I will update you once we have the system ready.

4 PAY POLICY STATEMENT 2018/19

4.1 Dan Paul introduced the report relating to the draft annual pay statement for Chief Officer Pay for 2018/19 and advised that there was a legal requirement to publish the pay policy under the Localism Act. This statement would have to be approved by Council before 31 March 2018.

4.2 Mr Paul summarised the contents of the report including the pay multiples in 2015/16 and 2016/17 and stated that the increase in the Chief Executive's pay in 2016/17 had been unique and was the result of 7 elections including 4 by-elections or referenda being held during this financial year.

4.3 The reduction in median total pay and median total earnings had resulted from the TUPE transfer of Hackney Homes employees to the Council. The median pay in future would not reach the previous level achieved in 2015/16 as the TUPE employees had proportionally more employees at lower grades.

4.4 In response to a question from Councillor Hanson, Mr Paul confirmed that the Localism Act required information relating to the Chief Executive pay to be published.

4.5 Councillor Sharman asked if the Council monitored gender and ethnic minority pay and whether this information could be incorporated into this report. Mr Paul stated that from April 2018 it would be a legal requirement to publish data on gender and ethnic minority pay gaps. The Council currently held data relating to the workforce gender, ethnicity and disability and other groups but this data could not be published in this report until local authorities had agreed a format to ensure that the data would be comparable in the future.

4.6 Councillor Mulready enquired whether the Council had a breakdown of the disabled employees in top tier management and the additional support they received. Councillor Williams confirmed that the Council provided additional support for staff with disabilities and the Council published information relating to its workforce, which could be circulated to members following the meeting.

4.7 The Chair sought clarification on whether the Council would be publishing its pay data relating to gender, ethnic minority, disabled and other groups. Councillor

Williams indicated that the Council would be reporting on gender pay gap in 2018 and then planned to publish the pay data for ethnic minorities and other groups.

RESOLVED to agree the Pay Policy Statement and recommend Council approve it.

Actioned: Dan Paul

'The information that the Council currently publish pertaining to its workforce is available at <https://www.hackney.gov.uk/knowning-our-workforce>

We will be going further in 2018 to add pay gap data to this. We are progressing the gender pay gap information, and have already planned to follow this with ethnicity pay gap data. As requested by the Committee, we will then continue with this to roll it out to other characteristics.'

**5 HIGHWAYS OBSTRUCTION AND ENFORCEMENT: TABLES AND CHAIRS
- VERBAL REPORT**

5.1 Seamus Adams provided a verbal report relating to the enforcement of tables and chairs on the public highway and advised that the Council recognised the issue of tables and chairs being an obstruction on the public highway. However, it was also necessary to balance enforcement with business growth in the borough.

5.2 Mr Adams advised that with the planned improvements to the IT systems and service this would allow officers from Parking to access street trading licences and conditions and also premises licensing conditions. Any breaches of the premises licence would be reported to the Environmental Enforcement Team. The licensable area would be shown on the street trading licence to encourage operators to remain within their designated area at the front of the premises. The improved systems would enable the service to address this issue more robustly in the future.

5.3 Councillor Stops stated that some traders were not displaying their street trading licences in shop windows, which was a breach of their licensing condition. He added that the footpath requirement for a minimum of 1.2 metres clear of any obstruction was not appropriate for some footpaths especially for narrow and busy footpaths and when using buggies. Mr Adams indicated that two enforcement officers visited shops in the borough to ensure that shops complied with their licence. He explained the footpath access requirements and although enforcement action had improved the increase in the growth of café culture had led to an increase in street furniture. It was stressed that it was necessary to balance business needs with public highway safety and Mr Adams was confident that as the service took a pro-active approach to address this issue the improvements would be visible. The service was also changing the licence to show the licenced area on the licence and this process would be more transparent for all parties and enforcement would be easier. Councillor Stops indicated that he would also like a written response to the concerns that he had circulated prior to the meeting.

5.4 Cllr Mulready expressed concern at the building material and street furniture blocking footpaths, which were dangerous and could potentially cause accidents area especially in Church Street and Stoke Newington. Mr McCarthy stated that enforcement officers had taken action to remove building material from streets but it was a challenge to identify the owner. With limited resources operations had to be

targeted in order to address this issue. Councillor Mulready sought clarification regarding the enforcement process and Mr McCarthy advised that the process consisted of a verbal warning, followed by written warning and final written warning before any enforcement action was taken. The warnings allowed the trader with opportunities to comply with the condition and further breaches of licensing conditions would result in enforcement action.

5.5 In response to a question regarding A-boards, Mr McCarthy said that a zero tolerance policy had been taken to tackle the issue of A-boards on public highways and a breach would include issuing a warning and then a written warning and then seizure of the board. He added that most owners complied with the warning and removed the A boards immediately.

5.6 The Chair indicated that this subject matter was of particular interest to members and requested that a report be submitted annually on furniture blocking the public highway in public realm.

RESOLVED that the verbal report be noted and annual report to be submitted to future Committee meetings.

Actioned: Seamus Adams

Response to the points raised by the corporate committee regarding the enforcement of shop front street trading licence terms and conditions within the borough by the council's markets & street trading service.

Monitoring and licence display

In respect of licences being permanently displayed in shop windows, the markets service have dedicated inspectors who specifically oversee the effective management and delivery of shop front licences. Throughout each week these inspectors attend businesses who trade from the front of their premises. Visits are carried out on a regular basis to ensure valid licences are in place and that trading activity is compliant with our terms and conditions. This includes checks to ensure that licences are correctly displayed prominently in the front window or door of the premises. In addition, visits are also carried out on a reactive basis where reports of licence infringements have been received.

Following recent feedback about the display of licences in shop front windows, the service is currently redesigning the licence to accommodate a schematic drawing of the licenced area on the licence itself. Additionally the licence will clearly state that it must be on display prominently in the front window or door of the premises along with any licence restrictions or special conditions noted where relevant such as times of operation.

This piece of work should be completed by February 2018 making the process more transparent for all involved, enabling the service to enforce regulation 3.1 (stated below) more rigorously:

- *3.1 - A copy of the shop front trading licence must be displayed in the window of the premises outside which trading is permitted. The copy of the licence is to be displayed so as to be clearly visible and legible from the street.*

Enforcement process

Monday, 30th October, 2017

All correspondence and action taken by council inspectors in relation to these visits is documented in a database held by the markets service and managed through the standardised formal warning process. This process consists of a verbal warning, a written warning and final written warning before action is taken to revoke the licence. Further licence breaches are then escalated to the environmental enforcement team to progress with formal action in the form of a PACE interview and fixed penalty notices. Continued infringements ultimately result in prosecution proceedings as seen in the current case of Hackney vs L&G Disposables.

Shop front trading applications - suitability assessment

Market & street trading Officers issue shop front licences by following the process in line with the current street trading regulations. This process does not require consultation with Streetscene or TFL about the size of shop front trading areas. Applications received for a shop front trading licence are followed up by an inspector who conducts a site visit to assess the premises' suitability for shop front trading which includes taking physical measurements. A decision is made based on the prevailing street trading regulations which presently require a minimum width of 1.2m to the nearest street furniture as a standard condition laid out in Regulation 4.2 (below):

- *4.2 - A minimum of 1.2m clear of any obstruction shall be maintained for safe access to and egress from the premises to which the licence relates*

Officers may refuse an application or place conditions before granting a licence, for example in locations with very high pedestrian footfall on busy thoroughfares. These locations may require an increased distance from the premises to the nearest street furniture of 1.5m or 2m to ensure the free movement of pedestrians, wheelchair users and push chairs & prams etc.

6 WORK PROGRAMME 2017/18

6.1 Members expressed their dissatisfaction at the quality of reports presented at meetings of the Corporate Committee and the Committee's role and areas of work. The Chair indicated that it was now necessary to review the annual work programme and the terms of reference.

6.2 Councillor Potter commented that the Committee had not received the Planning Authority Monitoring (AMR) Report 2016, which had been scheduled for July 2017.

6.3 Councillor Selman invited members to attend a Members' Briefing on 7th November 2017.

Stephen Rix undertook to circulate the Committee's terms of reference so that members could understand the areas of work covered by the Committee.

RESOLVED to note the work programme.

Actioned: Stephen Rix

The terms of reference and area of work was circulated following the meeting.

7 ANY OTHER BUSINESS WHICH IN THE OPINION OF THE CHAIR IS URGENT

7.1 There was no other urgent business.

Duration of the meeting: 6.30 - 8.00 pm

Rabiya Khatun
Governance Services
020 8356 6279



Revised Planning Sub-Committee Procedure	
CORPORATE COMMITTEE MEETING DATE 2017/18 12 December 2017	CLASSIFICATION: Open If exempt, the reason will be listed in the main body of this report.
WARD(S) AFFECTED All Wards	
GROUP DIRECTOR Tim Shields, Chief Executive's	

1. INTRODUCTION AND PURPOSE

- 1.1 This report is presented to the Corporate Committee for a decision regarding corporate governance.
- 1.2 Approval is sought for revisions to the procedure for meetings of the Planning Sub-committee.

2. RECOMMENDATION(S)

The Corporate Committee is recommended to:

Approve the revised procedure for meetings of the Planning Sub-committee attached to this report at Appendix A.

3. REASONS FOR DECISION

To ensure that the business of the Planning Sub-committee is determined efficiently and effectively in particular when a planning application to be determined by the Sub-committee has been submitted by a member of the Council.

Making the proposed changes to the procedure relating to planning applications submitted by members of the Council will ensure that the duty on the Council to act fairly is discharged by balancing the right of parties to speak and answer questions about a planning application with the rule that decision makers must not be biased towards one particular party when taking decisions.

4. BACKGROUND

The procedure followed by the Planning Sub-committee has been revised to clarify the steps that will be followed at meetings of the same in particular in respect of planning application submitted by members of the Council as the existing procedure is not clear on how the consideration of such applications by the Sub-committee should be dealt with.

4.1 Policy Context

The revised Planning Sub-committee procedure will assist lawful and fair decision making regarding planning applications pursuant to the Council's local development plan documents for the development and use of land in the Borough of Hackney.

4.2 Equality Impact Assessment

The proposed revisions to the existing procedure for the Planning Sub-committee will not impact on the Council's equality duties regarding the elimination of unlawful discrimination, harassments and victimisation; the advancement of equality of opportunity between people who share a protected characteristic and people who do not share it; and the fostering of good relations between people who share a protected characteristic and people who do not share it as a party's attendance at meetings of the Planning Sub-committee, and their ability to speak at such meetings, including members of the Council, will remain unchanged.

4.3 Sustainability

N/A.

4.4 Consultations

There is no statutory obligation to consult on procedures and protocols for Committees and Sub-committees. Officers have consulted with the Chair of the Planning Sub-committee who has confirmed his acceptance of the revised procedure for the Planning Sub-committee.

4.5 Risk Assessment

Revising the procedure followed by the Planning Sub-committee to ensure that the Council discharges its duty to act fairly will assist the Council avoid legal challenges.

5. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

The revised procedure for meetings of the Planning Sub-committee is noted, and there are no direct notable financial implications emanating from this report.

6. COMMENTS OF THE DIRECTOR OF LEGAL

- 6.1 The Council may arrange for the discharge of its functions by a committee or sub-committee and decide the procedure to be followed at the meetings of the same under section 101 and 99 of the Local Government Act 1972.
- 6.2 The Council has delegated decisions regarding planning applications to the Planning Sub-committee and officers as set out in Part III of its Constitution.
- 6.3 The terms of reference for the Corporate Committee provide that it shall appoint a Planning Sub-committee and approve its terms of reference, procedures and protocols and so the Corporate Committee is authorised to approve the attached revised Planning Sub-committee procedure.

APPENDICES

Appendix 1 - Revised procedure

BACKGROUND PAPERS

None.

Report Author	Justin Farley Solicitor 020 8356 2778 Justin.Farley@hackney.gov.uk
Comments of the Corporate Director of Finance and Resources	James Newman Head of Finance 020 8356 5154 James.Newman@hackney.gov.uk
Comments of the Corporate Director of Legal, HR and Regulatory Services	Stephen Rix Head of Litigation & Interim Head of Commercial Deputy Monitoring Officer 020 8356 6122 Stephen.Rix@hackney.gov.uk

Attending Meetings of the Planning Sub-Committee

Introduction

The majority of planning applications for extensions to a home, new shop fronts, advertisements and similar minor development, are decided by Planning Officers.

The Planning Sub-Committee generally makes the decisions on larger planning applications that:

- may have a significant impact on the local community; and
- are recommended for approval by the Planning Officer.

Planning Sub-Committee members use these meetings to make sure they have all the information they need and hear both sides before making a decision.

The Planning Sub-Committee

The Planning Sub-Committee is made up of Councillors from all political parties. One of the Councillors is the Planning Sub-Committee Chair. When making decisions the Planning Sub-Committee will always be:

- open about how they came to a decision,
- fair when making a decision, and
- impartial by not favouring one side over another.

Meetings are held in public at Hackney Town Hall and usually start at 6.30pm on the first Wednesday of the month. Agendas are available at <http://mginternet.hackney.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1> or from the Committee Officer a week before the meeting.

All Planning Sub-Committee members will keep an open mind regarding planning applications. The meetings are necessarily formal because the Chair and members want to listen to everyone and have the chance to ask questions so that they can fully understand the issues.

Those speaking, either for or against a planning application, are generally given five minutes to explain their concerns/why they believe the application has merit. If there is more than one person for or against a planning application the five minutes is to be divided between all the persons wishing to speak or a spokesperson is to be nominated to speak on behalf of those persons. The Chair will help groups speaking on the same item to coordinate their presentations.

How the Meeting Works

The Planning Sub-Committee will normally consider agenda items in turn. If there are a lot of people for an item the Chair might change the order of the agenda items to consider an item earlier.

At the beginning of each meeting the Chair will explain how the meeting works and what can and cannot be taken into account by Planning Sub-committee members when making decisions. The procedure followed at each meeting is set out below:

- The Chair welcomes attendees to the meeting and explains the procedure the meeting will follow,
- Apologises received,
- Members declare any interests in an item on the agenda,
- Minutes of previous Planning Sub-committees are considered/approved,
- The Planning Sub-committee will consider any proposal/questions referred to the Sub-committee by the Council's monitoring officer,
- The Chair asks the Planning Officer to introduce their report/recommendation to the Planning Sub-Committee. The Planning Officer will also inform Planning Sub-committee members of any relevant additional information received after the report was published,
- Registered objectors are given the opportunity to speak for up to five minutes,
- Registered supporters and the applicant are given the opportunity speak for up to five minutes,
- Councillors who have registered to speak to object or in support are given the opportunity to speak for up to five minutes. The registered objectors or supporters as the case may be will be given the opportunity to speak for a further five minutes in such circumstances to ensure equal time is given to all parties,

Where the applicant is a Councillor they must leave the room after the Planning Sub-committee members have asked them any questions of clarification/discussions regarding an agenda item have been completed so that members can consider and vote on the recommendation relating to the Councillor's planning application.

- Planning Sub-committee members can ask questions of objectors and supporters and ask Council officers for further clarification before considering a Planning Officer's recommendation,

Where Planning Sub-committee members have concerns regarding a planning application that cannot be addressed to their satisfaction when considering the application, the members can resolve to defer determining the planning application until such time as their concerns can be addressed,

- The recommendation, including any supplementary planning conditions/obligations or recommendations proposed during the consideration of an item by the Planning Sub-Committee members, is put to a vote. Where an equal number of votes is cast for and against a recommendation the Chair has a casting vote.

Decisions

Decisions of the Planning Sub-Committee relating to planning applications shall be based on:

- National planning policies set out by Government,
- Regional strategy, the London Plan, set out by the Greater London Authority,
- Development plan documents, such as the Core Strategy, Development Management Local Plan etc., and
- Other 'material planning considerations' such as the planning history of a site.

Non-planning considerations are not relevant to the Planning Sub-committee's decision making and should be disregarded by the Sub-Committee.

Speaking at the Meeting

If you have submitted a written representation to the Council in respect of a planning application you can register to speak at the meeting at which the application is considered by the Planning Sub-committee. To register to speak you should contact the Committee Officer by phone on 020 8356 3338 or email governance@hackney.gov.uk by 4.00pm on the working day before the meeting.

If you wish to present photographs or illustrative material at the meeting, notice of this should be given as the consent of the Chair will be required. Please contact the Committee Officer for more information.

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Planning Authority Monitoring Report 2017

**CORPORATE COMMITTEE
MEETING DATE 2017/18**

12 December 2017

CLASSIFICATION:

Open

**If exempt, the reason will be listed in the
main body of this report.**

WARD(S) AFFECTED

All Wards

GROUP DIRECTOR

Kim Wright, Group Director, Neighbourhoods and Housing

1. INTRODUCTION AND PURPOSE

- 1.1 This report seeks approval of the Local Plan Authority Monitoring Report (AMR) for 2017. The AMR provides monitoring information on spatial planning-related activity for the financial years of 2015/16 and 2016/17 to inform and monitor policy development and performance. It highlights the extent to which the policies set out in the Local Plan (the Core Strategy 2010, the Development Management Local Plan 2015, the Site Allocations Local Plan 2016, and adopted area action plans) have achieved their objectives, using quantitative indicators - for example it shows how planning policies have facilitated the delivery of a large number of new homes and employment floorspace in the Borough.
- 1.2 This AMR reports on two monitoring years covering from 1st April 2015 to 31st March 2016 and 1st April 2016 to 31st March 2017. It provides analysis of the effectiveness of policy. It does this primarily by reviewing the results of developments which have completed, and planning applications permitted over the last two years. It also aims to set out clear challenges and opportunities for the new Local Plan 2033 (LP33) to address.

2. RECOMMENDATION(S)

The Corporate Committee is recommended:

- 2.1 **To approve the Authority Monitoring Report 2017 (as set out in Appendix 1)**

3. REASONS FOR DECISION

- 3.1 The production of a monitoring report is a statutory requirement as part of the Council's role as local planning authority.

4. BACKGROUND

- 4.1 The last AMR was approved by Corporate Committee in July 2016. This AMR provides an update, reporting on two monitoring years up to March 2017.

4.2 Policy Context

The AMR report provides monitoring information on the performance of Local Plan policies/policy documents and updates on planning-related activity and planning decisions over the past two financial years.

It also reports on progress in new plan making (the implementation of Hackney's Local Development Scheme) and progress on Neighbourhood Planning in the Borough. Overall this provides a clear and succinct evaluation of policy for the financial years of 2015/16 and 2016/17.

Some key findings of the AMR are as follows:

Housing

Key Points: Housing delivery was above target

- Housing policy has been effective at delivering the homes needed by the Borough, with 8790 new homes delivered or 132% of its target between 2012 and 2017. This housing supply is made up of conventional self-contained homes which form the majority, as well as long-term empty homes returning to use and non-conventional homes such as student halls. Of the conventional supply, 35% of homes were in affordable tenures, with over half of these in social rent. New housing has been delivered across the borough but growth is focussed in north of the borough and Shoreditch, in and around Dalston and in Hackney Central
- A range of different size homes have been provided, broadly in line with policy requirements; 26% of dwellings being 3 or more beds. In addition, there were more 2-beds (38%) overall than 1-bed properties (36%).
- The draft London Plan proposes a new housing target for Hackney of 1330 homes per annum. The existing target is 1599 home reflecting previous analysis that we have a significant amount of approvals in the pipeline to deliver over the next 5 years, but supply of new sites is less certain beyond 2020. This also acknowledges the land required to meet demand for employment space and community infrastructure, whilst maintaining a high quality of design.
- Housing affordability continues to decrease year-on-year in Hackney, with the ratio of house prices to incomes almost doubling between 2008 and 2016 despite the great recession, with median prices reaching 16:1 with median earnings. On the most recent evidence, this means planning policy would need to deliver 60% of all new housing as socially rented to meet the needs of the borough.

Challenges: To respond to continued issues around housing affordability for residents the Draft Local Plan 2033 sets out new policies – including a policy to secure affordable housing on small sites for less than 11 units

Employment

Key Points: There are large amounts of new employment floorspace in the pipeline and high levels of growth in new businesses within the borough

- Hackney has approved planning applications that if implemented would provide a significant amount of new employment floorspace: a total of around 195,000sqm net new space, mainly B1 (offices) class. This would largely come forward within the borough's Priority Employment Areas, with Shoreditch topping the list with permissions that would provide a net gain of 160,000 sqm of new B1 floorspace in this area.
- The number of active enterprises, (businesses that had either turnover or employment during 2014) within Hackney, has grown by 64% since

2009/10, faster than neighbouring boroughs and almost twice the inner London average, creating increasing demand for floorspace.

- The planning service has secured 7,558sqm of affordable workspace since 2010 through S106 agreements.
- There were 428 new hotel rooms completed in the reporting years and a pipeline of 1785 hotel bedrooms, mostly in the south of the borough that have received planning permission indicates a high level of economic interest.
- Overall, Priority Employment Areas (PEAs) gained a net 6,296sqm in 2015/16 -2016/17. This is against a recent a trend, with losses in PEAs in the last 5 years totalling -9,814sqm. Taken in view of the broader picture of employment losses, policies have been effective. Unprotected areas in the rest of the borough recorded a loss of 23,000sqm of B1-B8 floorspace over the last five years.
- There is likely to be continued pressure on employment floorspace in competition with residential land values.

Challenge: To respond to these challenges the Draft Local Plan 2033 sets out an approach to direct new employment development and better protect against the loss of industrial floorspace losses in the future. This has been further strengthened by new Article 4 Directions protecting employment uses.

Retail and Town Centres

Key Points: Hackney has seen growth in retail and there is a strong pipeline and high occupancy rates in all town and local centres in Hackney.

- Overall there has been an increase of 3760sqm of retail (A1) space across the borough in the reporting years, indicating positive growth in the provision of this vital service.
- The pipeline for town centres going forward is positive with a total of 10513sqm new floorspace expected from permitted developments. Dalston, Hackney's major town centre is expected to gain an addition 1410sqm of retail floorspace, Stoke Newington to gain 809sqm and Hackney Central to lose 400sqm. An additional 89sqm of retail floorspace has been permitted in Local Centres.
- In terms of shopping centres, the primary frontages of Dalston, Hackney Central and Stoke Newington High Street perform well, with 56%, 55% and 60% of units respectively in retail use and with very low vacancy levels. Primary frontages have an average of 57% of units in retail use whilst secondary frontages average 43%.
- The average vacancy rate in Local centres is 5%.
- Despite changes to permitted development rights there have only been small losses of A1 retail in Hackney Central (312sqm) and Stoke Newington (825sqm) and Dalston has gained 722sqm of A1 floorspace. Local Centres have seen a very small overall loss of 215sqm over the

same time period, although this varies by centre with a gain 300sqm in Lower Clapton Road and a loss of 240sqm in Kingsland Road.

- A large amount of new A1/2/3 uses been approved in priority employment areas, with a net increase of 6439sqm in 2015/16 and 2016/17. This has been driven by employment-led policies which look for active frontages combined with high levels of new development in these areas, where relatively large sites make complete redevelopment more viable.
- Policies for the night time economy have had mixed results. Over the last five years A3 uses have increased in the centres of Dalston (653sqm), and Stoke Newington (407 sqm) but over the same period 10,075sqm of A3 has come forward outside of town centres, notably in the Central Activities Zone, Shoreditch PEA and Wenlock PEA.
- Over the last five years there has been no overall change in Hackney Central, Stoke Newington and Finsbury Park town centres of A4 (drinking establishments) floorspace, and an overall gain in Dalston of 279sqm. There has been a loss of 3,428sqm.

Challenges: To respond to these challenges the Draft Local Plan 2033 sets out a strategy to manage growth in retail and town centre uses –with growth focussed in Dalston and Hackney Central as the two major centres. LP33 identifies Shoreditch as a Central Activities Zone (CAZ). The extent of the CAZ frontages will be determined through Future Shoreditch Area Action Plan.

Communities, Culture, Education and Health

Key Points: Planning and delivery of new primary schools been positive in 2016.

- In 2015/16 and 2016/17 there were net gains of 15,020sqm and 364sqm respectively in D1 floorspace.
- Planning and delivery of new primary schools in the borough is positive, with a total of 90 places in 2 new extensions to schools in 2016, enabling provision of school places and a 5% buffer. Planning permission was granted in 2016 for new schools at Nile Street and Tiger Way.
- Section 106 funded the following projects:
 - Improvements to Shoreditch and Stoke Newington libraries
 - Cardinal Pole Roman Catholic School received a much needed internal work to consolidate 3 small areas into one large fit for purpose library.
 - The expansion of Woodberry Down Primary School from two to three forms of entry. This work was completed in April 2017

Transport

Key Points: Cycling Parking provision has increased along with public transport usage.

- Passenger usage of Hackney's railway stations continue to increase year on year, with a total of 48.8 million entries/exits at stations in 2016. An increase of 8.4 million entries/exits from the previous year.
- Old Street and Shoreditch High Street stations recorded growths of 115% and 57% in 2015/16.
- In 2015/16 and 2016/17, 87% of completed development were car free.
- In 2015/16 on average, 2.03 car parking (disabled included) spaces were delivered per scheme, a decrease of 1.07 per scheme since 2014/15.
- However, this figure went up by to 14.5 car parking spaces (including disabled) per scheme in 2016/17, and this was mainly due to the completion of two large projects (Woodberry Down Estate and the International Broadcast Centre (IBC) on Waterden Road) which between them delivered 971 car parking spaces. Cycle space provision has gone up by almost 27% from 963 in 2014/15 to 1349 in 2015/16, and by almost 33% in 2016/17 to 1993 in completed developments.
- The Council is supportive of proposals for the Crossrail 2 rail project linking North East and South West London, with a new station at Dalston and has stressed the importance of an interchange there. The Council is also supportive of a new station at Hackney Central on an eastern branch and has made representations to Transport for London on all these issues.

Challenges: There have been significant increases in London Overground usage placing pressures on this service. The Draft Local Plan 2033 supports the case for Crossrail 2 (including an eastern spur) to improve connectivity and facilitate growth.

Open Spaces Environment and Climate Change

Key points: Hackney has delivered improvements to open space with the last two years

- Planning obligations secured prior to the implementation of CIL have been used to deliver the following improvements to open spaces:
 - S106 contributions went towards improving De Beauvoir Square's play area. A second entrance was added to the play area to provide an alternative exit point from the enclosed space. The wooden edges to the squares rose beds have been replaced with a metal edging eliminating future maintenance issues.
 - The London Fields outdoor gym equipment had reached the end of its life and was located in the children's play area. Contributions went towards replacing and expanding outdoor gym equipment in a new more accessible location in London Fields.
 - Contributions went towards improving and replacing play equipment which had come to the ends of its life in Haggerston Park.
 - Improvements to Allens Gardens aimed at improving biodiversity. The works include Owl Boxes, bat detectors, wildflower

pollinators and additional seating as well as an educational program.

- An additional two parks gained green flags between 2015/16 and 2016/17 for a total of 21. Furthermore, 88% of Sites of Importance for Nature Conservation are in positive conservation management.

Heritage and Design

Key Points: Three sites previously on the heritage at risk register have been restored.

- Overall, the number of buildings on the Heritage at Risk register has decreased by 3 sites or a reduction of around 9%, from 34-31 sites. Leaving a total of 31 buildings still at risk in the borough. Three conservation areas remain at risk (Dalston Lane West, Sun Street and Mare Street), although Dalston Lane (West) recently had its Conservation Area Appraisal and Management Plan revised and is likely to be removed from the register once a large development project within the area is completed.
- The Hackney Design Awards were held in September 2016, and Woodberry Wetlands was crowned as the people's choice winner.
- 6 tall buildings of 10 storeys or greater have been approved in 2015/16 and 2016/17; with an average height of 23 storeys - the tallest of which was 33 storeys (1 – 17 Crown Place).
- 4 of 6 buildings approved were in schemes containing residential units, indicating that tall buildings are primarily supported by high residential values – however all developments contained a mix of uses.

Challenges: The Draft Local Plan 2033 informed by a borough-wide characterisation study sets out an approach to ensure that heritage assets can be protected while delivering housing and employment floorspace at higher densities.

Planning Performance

Key Points: Major targets in planning performance were met in 2015/16 and 2016/17. There has been a significant increase in number of planning applications processed and planning performance agreements made providing adequate revenue to support continued excellent performance.

- In 2016/17, 84% of Major Planning Applications were determined in accordance with agreed timescales, beating a target of 70%. A total of 37 major applications were processed.
- 80% of minor applications were determined within 8 weeks, also beating the target of 75%
- 88% of other applications were processed within their 8 week deadline, beating a target of 80%
- 63% of appeals to planning decisions were dismissed. Though this was below the 70% target but the number of appeals against decisions was considerable higher (128) compared to the previous year where only 86 appeals were made.
- 52% of Planning Applications were validated within 5 days. This was below target (80%).
- In 2015/16, 64% of planning searches were carried out in 10 working days, slightly below target (80%). However, the percentage increased to 87% for the first 3 quarters of 2016/17.
- Building control increased their market share for certification by 3% from 34 – 37% of all developments in 2015/16. During 2016/17, their market share dropped back to 34% - still this was below their target of 50%.
- 86% of building control applications were processed within 3 days in 2015/16, this increased by 1% to 87% in 2016/17 – well the target at 80%.
- The number of site inspections undertaken within 1 day of request, significantly above target (80%) at 93% and 91% for 2015/16 and 2016/17 respectively.

4.2 Equality Impact Assessment

The AMR will help feed into planning policies and help identify equality issues, such as the proportion of Hackney residents with reasonable access to key services by various modes of transport.

4.3 Sustainability

The AMR reports on the performance of sustainability policies that will be revised as necessary if any issues arise.

4.4 Consultations

Consultation has been undertaken on chapters with the relevant service areas.

4.5 Risk Assessment

There are no significant risks identified for the production of the AMR.

5. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 5.1 This report requests the Corporate Committee to approve the Authority Monitoring Report (AMR) for the reporting year 2015/16 and 2016/17.
- 5.2 The AMR in Appendix 1 provides financial and performance data for 2015/16 and 2016/17 on Planning related activity and decisions.
- 5.3 The financial data in the AMR is retrospective, and the future impact of activities and planning policies monitored in the report, will be managed within the relevant service capital and revenue budgets of the Council.

6. COMMENTS OF THE INTERIM DIRECTOR OF LEGAL

- 6.1 Under Article 9.1.3 of the Council's Constitution, the Council's Corporate Committee is responsible among other things for maintaining oversight of the Council's planning functions.
- 6.2 Pursuant to the Planning and Compulsory Purchase Act 2004, local planning authorities must prepare reports containing such information as is prescribed as to the implementation of the Authority's Local Development Scheme and the extent to which the policies set out in the local development documents are being achieved. The Authority Monitoring Report at appendix 1 has been prepared to enable the Council to monitor its performance and in discharge of the statutory obligation.
- 6.3 The Authority Monitoring Report must cover a period the authority considered appropriate in the interest of transparency, beginning from the end of the period of the last report, and which is not longer than 12 months. In discharging this duty, Hackney's AMR covers the period of 1 April 2015 to 31st March 2016 and 1 April 2016 to 31st March 2017.
- 6.4 Under section 35(4) of the Planning and Compulsory Purchase Act 2004, the local authority must make the Report available to the public.

APPENDICES

Appendix 1 – Planning Authority Monitoring Report 2016 and 2017

BACKGROUND PAPERS

None

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Hackney's Local Plan

Authority Monitoring Report 2016 & 2017

The Planning Service

London Borough of Hackney

Authority Monitoring Report 2016 & 2017

Strategic Policy
The Planning Service
2 Hillman Street
Hackney
London
E8 1FB

Executive Summary

The AMR provides monitoring information on spatial planning-related activity for the financial years of 2015/16 and 2016/17 to inform and monitor policy development and performance. It highlights the extent to which the policies set out in the Local Plan (the Core Strategy 2010, the Development Management Local Plan 2015, the Site Allocations Local Plan 2016, and adopted area action plans) have been achieved, using quantitative indicators - for example how planning policies have facilitated the delivery of a large number of new homes over 2015/16 and 2016/17 and approval of large quantum of employment floorspace in the Borough.

This AMR reports on two monitoring years covering from 1st April 2015 to 31st March 2016 and 1st April 2016 to 31st March 2017. The document begins with a brief summary of topic areas before providing in-depth analysis on a range of areas, making use of both qualitative and quantitative data.

The AMR provides analysis of the effectiveness of policy and of the changing environment it is being applied to in the borough. It does this primarily by reviewing the results of developments which have completed, and planning applications permitted over the last two years. It also aims to set out any clear challenges and opportunities for the new Local Plan, 'LP33'. LP33 will be a new borough wide Local Plan. It will be the strategic planning document which directs and guide development in the borough up to 2033. See: <https://www.hackney.gov.uk/LP33>.

The AMR also reports on the collection and spend of the community infrastructure levy (CIL) and S106 obligations in accordance with government regulations.

Housing

Key Points: Housing Delivery was on target.

- Housing policy has been effective at delivering the homes needed by the Borough, with 8790 new homes delivered or 132% of its target between 2012 and 2017. This housing supply is made up of conventional self-contained homes which form the majority, as well as long-term empty homes returning to use and non-conventional homes such as student halls. Of the conventional supply, 35% of homes were in affordable tenures, with over half of these in social rent.
- New housing has been delivered across the borough but growth is focussed in north of the borough and Shoreditch, in and around Dalston and in Hackney Central.
- Dwellings in the period have been delivered over a broad range of sizes, broadly in line with policy requirements, with 26% of dwellings being 3 or more beds. In addition, there were more 2-beds (38%) overall than 1-bed properties (36%).

- The draft London Plan proposes a new housing target for Hackney of 1330 homes per annum. The existing target is 1599 homes. This reflects previous analysis that we have a significant amount of approvals in the pipeline to deliver over the next 5 years, but supply of new sites is less certain beyond 2020.
- Housing affordability continues to decrease year-on-year in Hackney, with the ratio of house prices to income almost doubling between 2008 and 2015 despite the great recession, with median prices reaching 16:1 with median earnings. On the most recent evidence, this means planning policy would need to deliver 60% of new housing as socially rented to meet the needs of the borough.

Challenges: To respond to continued issues around housing affordability for residents the Draft Local Plan 2033 sets out new policies – including a policy to secure affordable housing on small sites for less than 11 units.

Employment

Key Points: There are large amounts of new employment floorspace in the pipeline and high levels of growth in new businesses within the borough.

- Hackney has approved planning applications that if implemented would provide a significant amount of new employment floorspace: a total of around 195,000sqm net new space, mainly B1 (offices) class. This would largely come forward within the borough's Priority Employment Areas, with Shoreditch topping the list with permissions that would provide a net gain of 160,000 sqm of new B1 floorspace in this area.
- The number of active enterprises, (businesses that had either turnover or employment during 2014) within Hackney, has grown by 64% since 2009/10, faster than neighbouring boroughs and almost twice the inner London average, creating increasing demand for floorspace.
- The planning service has secured 7,558sqm of affordable workspace since 2010 through S106 agreements.
- There were 428 new hotel rooms completed in the reporting years and a pipeline of 1785 hotel bedrooms, mostly in the south of the borough that have received planning permission indicates a high level of economic interest.
- Overall, Priority Employment Areas (PEAs) gained a net 6,296sqm in 2015/16 -2016/17. This is against a recent a trend, with losses in PEAs in the last 5 years totalling -9,814sqm. Taken in view of the broader picture of employment losses, policies have been effective - unprotected areas in the rest of the borough recording a loss of 23,000sqm of B1-B8 floorspace,

Challenges: To respond to these challenges the Draft Local Plan 2033 sets out an approach to direct new employment development and better protect against the loss of industrial floorspace in the future. This has been further strengthened by new Article 4 Directions protecting employment uses.

Retail and Town Centres

Key Points: Hackney has seen growth in retail and there is a strong pipeline and high occupancy rates in all town and local centres in Hackney.

- Overall there has been an increase of 3760sqm of retail (A1) space across the borough in the reporting years.
- The pipeline for town centres going forward is positive with a total of 10513sqm new floorspace expected from development that has planning permission. Dalston, Hackney's major town centre is expected to gain an additional 1410sqm of retail floorspace, Stoke Newington to gain 809sqm and Hackney Central to lose 400sqm. An additional 89sqm of retail floorspace has been permitted in Local Centres.
- In terms of shopping centres, the primary frontages of Dalston, Hackney Central and Stoke Newington High Street perform well, with 56%, 55% and 60% of units respectively in retail use and with very low vacancy levels. Primary frontages have an average of 57% of units in retail use whilst secondary frontages average 43%.
- The average vacancy rate in Local centres was 5%.
- Despite changes to permitted development rights there have only been small losses of A1 retail in Hackney Central (312sqm) and Stoke Newington (825sqm) and Dalston has gained 722sqm of A1 floorspace. Local Centres have seen a very small overall loss of 215sqm over the same time period, although this varies by centre with a gain 300sqm in Lower Clapton Road and a loss of 240sqm in Kingsland Road.
- A large amount of new A1/2/3 uses been approved in priority employment areas, with a net increase of 6439sqm in 2015/16 and 2016/17. This has been driven by employment-led policies which look for active frontages combined with high levels of new development in these areas, where relatively large sites make complete redevelopment more viable.
- Policies for the night time economy have had mixed results. Over the last five years A3 uses have increased in the centres of Dalston (653sqm), and Stoke Newington (407 sqm) but over the same period 10,075sqm of A3 has come forward outside of town centres, notably in the Central Activities Zone, Shoreditch PEA and Wenlock PEA.
- Over the last five years there has been no overall change in Hackney Central, Stoke Newington and Finsbury Park town centres of A4 (drinking establishments) floorspace, and an overall gain in Dalston of 279sqm. There has been a loss of 3,428sqm.

Challenges: To respond to these challenges the Draft Local Plan 2033 will sets out a strategy to manage growth in retail and town centre uses – with growth focussed in Dalston and Hackney Central as the two major centres. LP33 identifies the need for a retail designation in Shoreditch linked to its role as part of the Central Activities Zone (CAZ). The extent of the CAZ retail frontages will be determined through Future Shoreditch Area Action Plan.

Communities, Culture, Education & Health

Key Points: Planning continues to secure funding through the Community Infrastructure levy and Section 106 agreements.

- In 2015/16, the Council received a total of £7.3 million in Section 106 payments and signed agreements worth a total of £14.4 million.
- In 2016/17, a total of £17.2 million in Section 106 payments was received, and signed agreements worth a total of £23.2 million.
- Hackney's CIL which was adopted in April 2015 received a total of £122k in 2015/16 and £6.64 million in 2016/17 in CIL contributions.
- The borough also collected £6.4 million for the Mayoral CIL in 2015/16, and £4.4 million in 2016/17.

Transport

Key Points: Cycling Parking provision has increased along with public transport usage.

- There were a total of 48.8 million entries/exits at stations in Hackney in 2016, an increase of 8.4 million entries/exits from the previous year.
- In 2015/16 and 2016/17, 87% of completed development were car free.
- In 2015/16 on average, 2.03 car parking (disabled included) spaces were delivered per scheme, a decrease of 1.07 per scheme since 2014/15.
- However, this figure went up by to 14.5 car parking spaces (including disable) per scheme in 2016/17, and this was mainly due to the completion of two large projects (Woodberry Down Estate and the International Broadcast Centre (IBC) on Waterden Road) which between them delivered 971 car parking spaces. Cycle space provision has gone up by almost 27% from 963 in 2015 to 1349 and by almost 33% in 2016/17 to 1993 in completed developments.
- Old Street and Shoreditch High Street stations recorded growths of 115% and 57% in just one year - 2015/16. Dalston Kingsland station is busier than Nottingham train station, and Hackney Central than Ealing Broadway.

- The Council is supportive of proposals for the Crossrail 2 rail project linking North East and South West London, with a new station at Dalston and has stressed the importance of an interchange there. The Council is also supportive of a new station at Hackney Central on an eastern branch and has made representations to Transport for London on all these issues.

Challenges: There have been significant increases in London Overground usage placing pressures on this service. The new Local Plan 2033 will need to consider how Crossrail 2 can improve connectivity and facilitate growth.

Open Spaces, Environment and Climate Change

Key points: Hackney, already the greenest inner London Borough has increased open space in the borough over 2016/17, delivery of the Woodberry down nature reserve

- Hackney has 58 parks and green spaces totalling 282 hectares of open space, ranging from large areas of Metropolitan Open Land at the Lee Valley Regional Park, which accounts for almost 40% of the borough's open space, to pockets of grass by the side of roads.
- Out of 58 parks and open spaces, 21 have been awarded Green Flag status (as of 2017).
- Overall there has been a net loss of 1360sqm of publically accessible open space in Hackney 2015/17.
- Planning obligations secured prior to the implementation of CIL have been used to deliver the following improvements to open spaces:
 - Improvements to De Beauvoir Square's play area. A second entrance was added to the play area to provide an alternative exit point from the enclosed space. The wooden edges to the squares rose beds have been replaced with a metal edging eliminating future maintenance issues.
 - The London Fields outdoor gym equipment had reached the end of its life and was located in the children's play area. Contributions went towards replacing and expanding outdoor gym equipment in a new more accessible location in London Fields.
 - Contributions went towards improving and replacing play equipment which had come to the ends of its life in Haggerston Park.
- An additional two parks gained green flags between 2015/16 and 2016/17 for a total of 21. Furthermore, 88% of Sites of Importance for Nature Conservation are in positive conservation management.

Heritage and Design

Key Points: Three sites previously on the heritage at risk register have been restored

- Currently, there are 31 buildings still at risk in the borough on the Heritage at Risk register. Three conservation areas remain at risk (Dalston Lane West, Sun Street and Mare Street), although developments in the Dalston Lane West are likely to result in their removal from the list.
- The Hackney design wards are held biannually, the last contest was held in September 2016 and about 50 projects nominations were received. Out of the 16 schemes that were shortlisted in September 2016, this year's independent judging panel selected 7 winners. The overall People's Choice winner for the year was Woodberry Wetlands N16.
- A total of 8 tall buildings were completed in Hackney between 2015/17 – two of which have a maximum height of 40 and 50 storeys respectively (Land bounded by Curtain Road/Hewett Street/Great Eastern Street/Fairchild Place/Plough Yard/Hearn Street, and Principal Place).
- 6 of 8 buildings completed were in schemes containing residential units, indicating that tall buildings are primarily supported by high residential values. The other two buildings were hotels (non-residential with bedrooms).

Challenges: The new Local Plan 2033 will need to consider how heritage assets can be protected while delivering housing and employment floorspace at higher densities.

Planning Performance

Key Points: Major targets in planning performance were met in 2016/17. There has been a significant increase in the number of planning applications processed and planning performance agreements made providing adequate revenue to support continued excellent performance.

- In 2016/17, 84% of Major Planning Applications were determined in accordance with agreed timescales, beating a target of 70%. A total of 37 major applications were processed.
- 80% of minor applications were determined within 8 weeks, also beating the target of 75%
- 88% of other applications were processed within their 8 week deadline, beating a target of 80%
- 63% of appeals to planning decisions were dismissed. Though this was below the 70% target but the number of appeals against decisions was considerable higher (128) compared to the previous year where only 86 appeals were made.
- 52% of Planning Applications were validated within 5 days. This was below target (80%).
- In 2015/16, 64% of planning searches were carried out in 10 working days, slightly below target (80%). However, the percentage increased to 87% for the first 3 quarters of 2016/17.

- Building control increased their market share for certification by 3% from 34 – 37% of all developments in 2015/16. During 2016/17, their market share dropped back to 34% - still this was below their target of 50%.
- 86% of building control applications were processed within 3 days in 2015/16, this increased by 1% to 87% in 2016/17 – well the target at 80%.
- The number of site inspections undertaken within 1 day of request, significantly above target (80%) at 93% and 91% for 2015/16 and 2016/17 respectively.

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1. Introduction

- 1.1 Hackney's Planning Service seeks to deliver the Council's spatial objectives through development and implementation of planning policy via the development management process. This report evaluates and demonstrates the effectiveness of planning policy and decision-making, and to identify areas where objectives are not being met and where local plans and policies, or the internal development management process needs to be reviewed. It also aims to set out any clear challenges and opportunities for the new Local Plan, 'LP33'. LP33 will be a new borough wide Local Plan. It will be the strategic planning document which directs and guide development in the borough up to 2033. See: <https://www.hackney.gov.uk/LP33>.

- 1.2 This year is Hackney's fourteenth Authority Monitoring Report (AMR) (formerly known as Annual Monitoring Report) since the Local Development Framework was introduced in 2004. Section 35 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare an annual monitoring report, however, section 113 of the Localism Act 2011 amends section 35 in respect of the requirements to prepare Monitoring Reports.
- 1.3 The new requirements for the AMR, set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 (hereby known as "The Regulations"), give local authorities more freedom to choose what to monitor in relation to the current local plan and to focus on local priorities and goals. The AMR monitors the performance of Local Development Documents and draws conclusions about their effectiveness.
- 1.4 This AMR covers the period from 1 April 2015 to 31 March 2016 and 1 April 2016 to 31 March 2017 reporting on the performance of planning policy across key topic areas, and progress of the Local Development Scheme (LDS), the Core Strategy and Area Action Plans (AAPs), as well as neighbourhood planning, the Council's 'Duty to Co-operate', the Community Infrastructure Levy and other issues pertinent to measuring the effectiveness of Hackney's Planning Service.
- 1.5 The AMR monitors Key Performance indicators (KPIs) for planning policy, performance in plan-making and compliance with the Duty to Cooperate.
- 1.6 The report also provides a report on Hackney's Community Infrastructure Levy and S106.
- 1.7 Data sources for the AMR come from a range of Local and National Indicators. All data on developments in the borough is sourced from the London Development Database (LDD). The report has been informed by information received from a range of council teams. **Structure of the Report**

- 1.8 The report is divided into the following sections:

Executive Summary

- Chapter 1: **Introduction**
- Chapter 2: **Hackney in Context**

Planning Policy Update

- Chapter 3: **Planning Policy Updates**
- Chapter 4: **Neighbourhood Planning & Duty to Cooperate.**

Topic Areas

- Chapter 5: **Housing**
- Chapter 6: **Employment**
- Chapter 7: **Retail and Town Centres**
- Chapter 8: **Communities Culture, Education and Health**
- Chapter 9: **Transport**
- Chapter 10: **Open Space**
- Chapter 11: **Design and Heritage**
- Chapter 12: **Climate Change and the Environment**

Planning Performance

- Chapter 13: **Planning Performance Report**

Appendix

- Appendix 1: Progress on delivery of SALP Sites
- Appendix 2: Progress on delivery of Area Action Plan Sites

2. Hackney in Context

2.1 Hackney's Corporate Policy Team annually update a profile¹ of the London Borough of Hackney and the people living and working here. Some of the key facts and figures for Hackney from the 2017 Profile are summarised below:

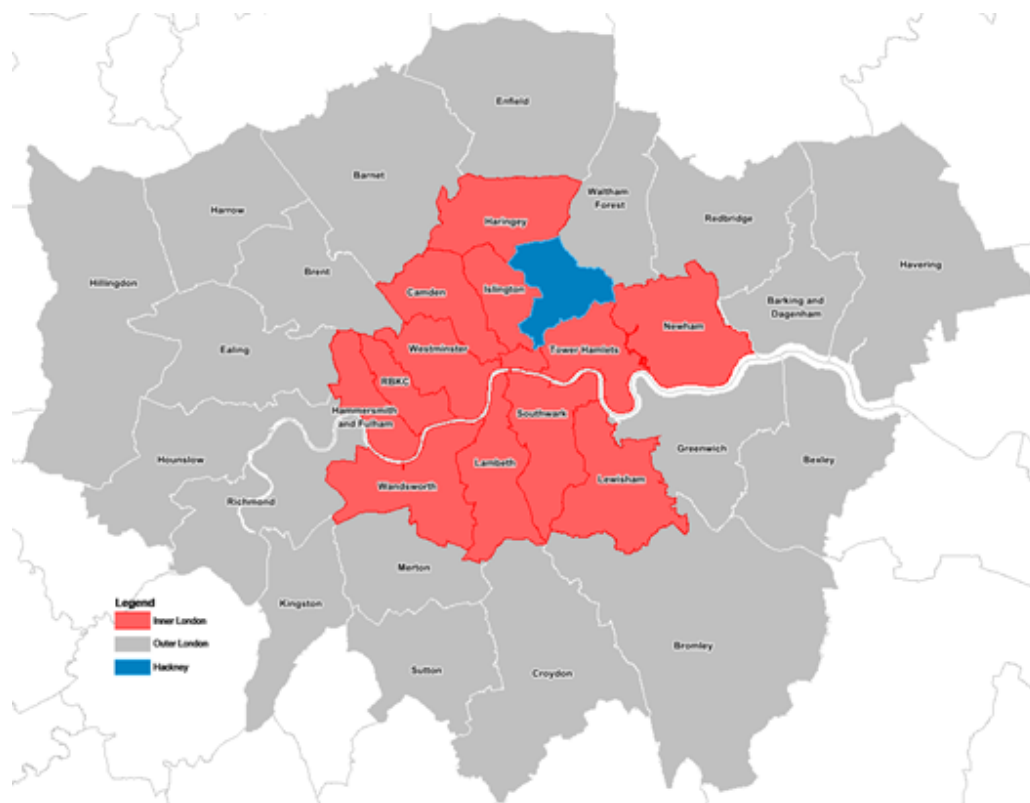
Location

2.2 Hackney is one of 14 inner London boroughs, situated in East London.

2.3 London, together with its immediate hinterland of south east England, contributes over a third of UK GDP. Over the last decade, Hackney's proximity to the multi-national financial institutions and their wealth has started to make a difference in the Borough.

2.4 Hackney occupies a pivotal location to the north east of the City of London. As shown in Map 1 below, Hackney shares boundaries with Islington, Newham, LLDC, Haringey, Waltham Forest, Tower Hamlets and the City of London.

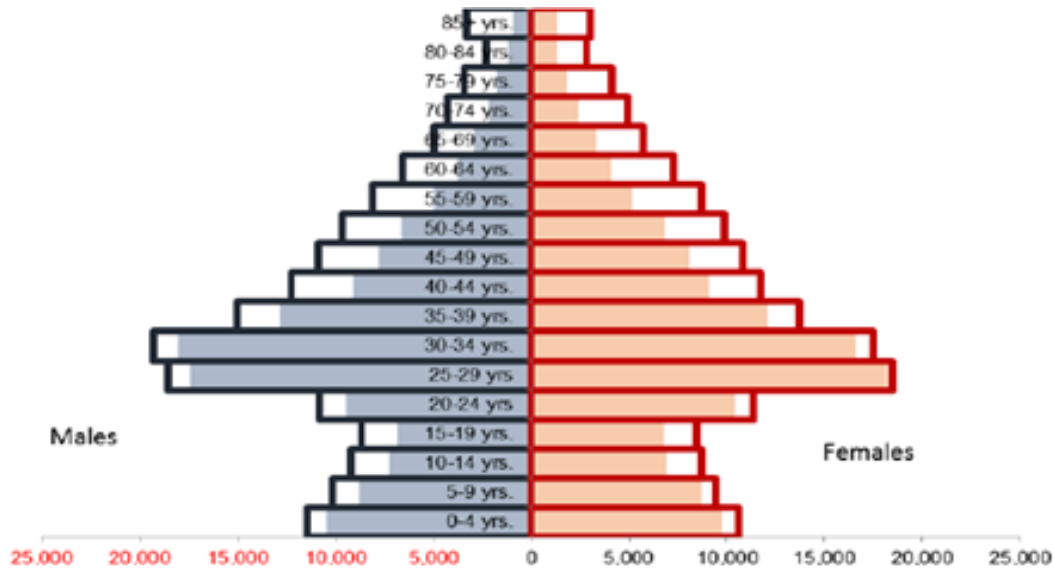
Map 1: Hackney in a Regional Context



¹ <https://www.hackney.gov.uk/media/2665/Hackney-profile/pdf/Hackney-Profile2>

Population

2.5 Hackney's population is estimated to have increased by 2.2% over the year to 269,009 people. A quarter of its population is under 20 and the proportion of residents between 20-29 years has grown in the last ten years and now stands at 21%. By contrast, those aged over 55 make up less than a fifth (14%) of the population, making Hackney a relatively young borough.

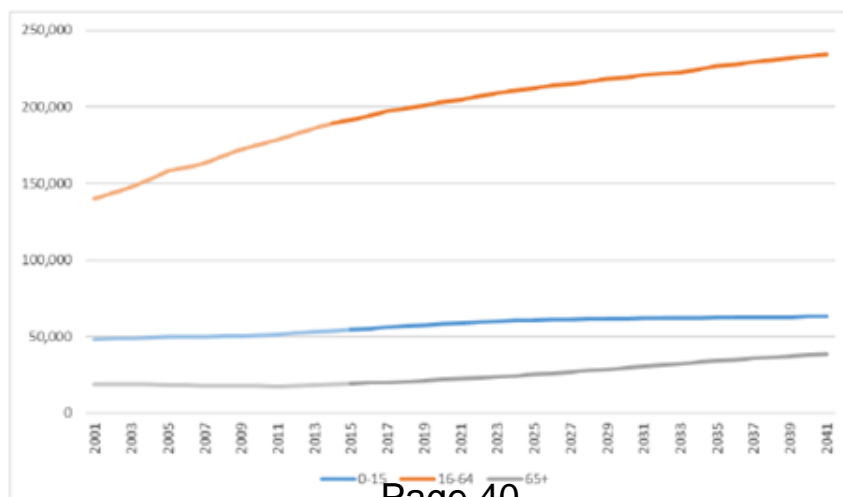


2.6 Hackney is a culturally diverse area, with significant 'Other White', Black and Turkish Communities, as well the largest Charedi Jewish Community in Europe focused in the North East of the Borough. 9/10 residents say groups get on well with each other.

2.7 Hackney has a significant immigrant population, with the most recent groups made up of Australian and Western European Immigrants.

2.8 In 2011, 14.5% of Hackney residents said they were disabled or had a long-term limiting illness.

2.9 Hackney's population is growing very rapidly, and is now likely to exceed 300,000 people by 2027 – 7 years sooner than was reported in the last AMR. The biggest contributor to this trend is the working age group (See below).



Source: GLA Projections 2014 Round, Housing Trajectory Based (BPO)

Health and Wellbeing

2.10 Life expectancy has once again increased for men and women, and is now 78.7 years for men and 82.8 years for women. However, life expectancy for men and women in Hackney remains below the London average of 79.6 and 83.8 years respectively.

Deprivation

2.11 Hackney remains the eleventh most deprived local authority in England on the Government's Indices of Multiple Deprivation with 17% of Lower Super Output Areas in the top ten per cent most deprived in the country. It should be noted these positions have improved in comparison to the rest of England.

2.12 The majority of deprivation domains showed an improvement in 2015, compared with levels in 2010, with percentages falling from 42% to 17% in the number of Lower Super Output Areas (LSOAs) experiencing high levels of deprivation, with improvements in the health, employment, housing and deprivation affecting children. The crime domain experienced an increase in relative deprivation.

Education

2.13 There was a great improvement in secondary education, with 63.5% of pupils obtaining five or more GCSE's grade A* - C including English and Maths in 2016, up from 43% in 2008. This is well above the London average of 59.7%, and the England average of 52.8%.

Economy

2.14 The number of firms in Hackney increased by 66% from 2004-2016. The number of people claiming out of work benefits fell by 13,700 between 2000 and 2016, despite the rapid growth in the working-age population.

Housing

2.15 The proportion of households who rent from a private landlord has more than doubled in the past 10 years. Nearly a third of all households are now private renters; 45% of all households in Hackney rent from a social landlord. Those in social housing tend to have higher unemployment and lower average incomes than people living in other tenures.

Environment and Transport

2.16 Hackney is the third most densely populated borough in London, but it is also one of the 'greenest' with falling levels of car ownership. Nitrogen dioxide levels can be high, especially around main roads and the borough has several air quality action plans in place.

Crime and Community Safety

2.17 The overall crime rate in Hackney is the lowest in 10 years. Incidents of crime reported to the police have declined by over a third in that time, or approximately 13,000 fewer victims of crime. However, crime levels increased by 6% in 2015/16, in line with London-wide trends.

Growth and Change

2.18 There is significant growth in The North West of the borough around Manor House, the area along the upgraded North London Line from Dalston to Hackney Wick and along the recently improved East London Line from Dalston to Shoreditch are expected to experience the greatest growth in housing, commerce and infrastructure in the coming years.

3. Planning Policy

- 3.1 Hackney continually works to keep its policy current by conducting research and developing new policy for the borough, as well as incorporating and applying changes to National and London-level planning policy.

Local Development Scheme

- 3.2 The local development scheme outlines planning policy documents' content and the programme for preparing or reviewing them. It helps ensure effective spatial planning, guiding sustainable development and helping regenerate the borough.

Core Strategy

- 3.3 The Core Strategy is the key planning policy document, setting out the broad strategy for sustainable growth of Hackney. The Core Strategy and Proposals Map were adopted November 2010. The strategy was the key document in developing the Development Management Plan and Site Allocations Local Plan, detailed below.

Hackney Development Management Local Plan (DMLP)

- 3.4 The Development Management Local Plan (DMLP) is a Borough-wide planning policy document, essentially containing a range of policies which expand on the Core Strategy to help determine planning applications. DMLP policies need to be considered in parallel with other Local Plan documents, the Core Strategy and detailed area-based AAP policies, and the emerging Site Allocations Local Plan.
- 3.5 The Council formally adopted the Development Management Local Plan (DMLP), including the policies map, on 22 July 2015..

Hackney Site Allocations Local Plan

- 3.6 The SALP identifies key strategic development sites in the Borough, and provides site-specific policy as well as allocating a particular use for those sites. Allocating sites is part of a strategic approach to guiding and managing development and growth in the Borough. This provides site specific policy on a number of key strategic sites in the Borough on which change and development is expected, to assist in the delivery of the priorities for the Borough (such as housing and employment uses) by safeguarding and allocating uses for these sites. The document sets out land use allocations and other policies where appropriate for key sites in the Borough that are not already covered by

Area Action Plans. It also quantifies the amount of housing and other types of land use it could bring forward to help meet the Borough's needs.

3.7 The Site Allocation Local Plan (SALP) was adopted in July 2016.

Local Plan 2033 (LP33)

3.8 The Local Plan 2033 sets out a growth strategy for the borough up to 2033. It will incorporate core strategic policies; which set out the overall planning strategy, and detailed development management policies; which guide development within the borough. The vision, delivery strategy and policies of the Local Plan will provide an integrated and coordinated approach to planning within the borough.

3.9 The production of the new Local Plan will be informed by several rounds of public consultation, together with evidence gathering and sustainability appraisal of policy options. The Plan must be consistent with national policy and in general conformity with the London Plan.

3.10 LP33: Early consultation on a Direction of Travel document and Sustainability Assessment Scoping report was undertaken in October to December 2017. A suite of evidence base documents have been produced and published alongside a draft Plan which is currently undergoing Regulation 18 consultation until 4th December 2017. Consultation on the Proposed Submission version is scheduled for Summer/Autumn 2018 with Examination in Public anticipated for late 2018/early 2019. Final adoption of the Local Plan is programmed for 2019.

The North London Waste Plan (NLWP)

3.11 North London Waste Plan. The North London Waste Plan is being jointly prepared by seven north London boroughs: Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. The plan will identify a range of suitable sites for the management of all north London's waste up to 2032 and include policies and guidelines for determining planning applications for waste developments. When adopted, the Plan will form part of the suite of documents that make up the Local Plan/Development Plan for each of the North London boroughs. The Plan is currently at the evidence gathering, stakeholder engagement and drafting stage.

3.12 The North London Waste Plan (NLWP) is jointly being prepared by seven north London boroughs: Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. The NLWP was consulted on between July and September 2015, and Boroughs are still considering the proposed Crossrail 2 scheme potential

implications for existing and proposed waste sites before working on proposed submission version of the plan.

Area Action Plans (AAPs)

3.13 Hackney has three adopted area action plans, which set out specific strategies and policies for their areas. The AAPs cover Dalston, Hackney Central and Manor House, and allocate sites for development.

3.14 Stamford Hill is a specific area where there are evident development and growth pressures that require management through area-based planning policies. Initial evidence gathering and stakeholder engagement is well underway and two separate consultation bodies have been established to oversee the Plan making process: a Cross Party Steering Group to manage the project and a Community Panel made up of Ward Councillors and Community leaders to advise on the consultation process;

3.15 In January 2017 the Council consulted on 'Towards a Stamford Hill Plan. The next stage of consultation on a draft Plan will be undertaken in Summer 2018. Adoption is anticipated in 2019.

Future Shoreditch - Area Action Plan

3.16 The Area Action Plan will provide a comprehensive planning framework for Shoreditch to manage development pressures and balance objectives of maintaining the historic character and identity of the area whilst encouraging and facilitating development that contributes to the economic growth of the Borough and the role of Shoreditch in accommodating the expansion of the city in the City Fringe Area.

3.17 Future Shoreditch: A launch consultation was carried out in March to May 2017 along with further stakeholder engagement in July. Consultation on the Future Shoreditch Issues and Options document will be undertaken in January to February 2018. The results of this consultation will inform a draft Plan, scheduled for consultation in Summer 2018. Future Shoreditch is anticipated to be adopted in 2019.

Implementation of Hackney's CIL

- 3.18 The Council's CIL charging schedule was adopted following an examination by an independent planning inspector, and was implemented from April 2015. The CIL sets out a floorspace based charge on new floorspace in developments of over 100sqm, with charges varying for different uses in different areas (for example, £190/sqm on new residential in zone A).
- 3.19 Planning Contributions SPD (S106) sets out the Council's policy for securing Planning Contributions, from new developments that require planning permission. The SPD details the Council's approach in securing Planning Contributions and how it will be implemented alongside the CIL. It also provides clarity to developers, development management officers, stakeholders and local residents regarding the basis on which Planning Contributions will be sought. S106 negotiations can still be used for site specific mitigation or local infrastructure provision that is not covered by CIL. The SPD will be reviewed again if Hackney reviews its CIL charging schedule.

3.20 The Planning Contributions SPD was adopted in November 2015

Sustainable Design and Construction SPD

- 3.21 Sustainable Design and Construction SPD provides planning guidance on how sustainable design and construction can be achieved.

3.22 The Sustainable Design and Construction SPD was adopted in July 2016.

Housing Supplementary Planning Document

- 3.23 This SPD will help support the Council in delivering high quality mixed housing that is well-integrated with Hackney's varied places and communities, taking into account the current land availability and pressures for development. It will also provide guidance on the implementation of affordable housing policies and provide further guidance on Local Plan 2033 housing policies.

3.24 The Housing SPD is currently at the evidence gathering stage.

Hackney Central and Surrounds Supplementary Planning Document

3.25 The Hackney Central and Surrounds SPD seeks to deliver the objectives and aspirations set out in the Hackney Central Area Action Plan (AAP). The AAP, which was adopted in 2012. It sets out a strategy for coordinated development and design in Hackney Central, to ensure that any changes reflect local aspirations for the future of the area.

3.26 The masterplan builds on this framework and sets out how these objectives and aspirations can be delivered in today's context and identifies a series of improvements including the refurbishment and/or redevelopment of key sites together with public realm enhancements. The delivery of these objectives and aspirations will help facilitate socio-economic growth, environmental improvements and significant regeneration in and around Hackney Central and beyond.

3.27 Hackney Central and Surrounds Masterplan: Consultation on the draft Masterplan was undertaken from 3 October to 14 November. The SPD was adopted on 19 June 2017

Neighbourhood Planning

3.28 Neighbourhood Plans can be produced by designated Neighbourhood Forums for designated Neighbourhood Areas. The Council has approved an Area and Forum for an area around Chatsworth Road, enabling a Neighbourhood Plan to be brought forward. Neighbourhood Plans need to be in conformity with the Council's Local Plan policies, and regional and national planning policies. A more detailed update on Neighbourhood Planning is provided in section 4 of this report.

Article 4 Directions

3.29 Article 4 Directions: The Council has made a series of non-immediate Article 4 Directions (A4D) to withdraw specific permitted development (PD) rights in allocated areas, as follows:

- Office use to residential use (in all Priority Employment Areas not already exempt, Hackney Central Area Action Plan (AAP) , and Hackney Central and Stoke Newington District Town Centres) - made on 20th July 2015 and in effect since 15th September 2016.
- Flexible town centre uses (in all of the Borough's Major and District Town Centres and in the local shopping centres) - made on 20th July 2015 and in effect since 15 September 2016
- Retail to residential use (in all of the Borough's Major and District Town Centres and in the local shopping centres) - made on 20th July 2015 and in effect since 15 September 2016.
- Light industrial to residential use (borough-wide) – made in March 2017 and due to come into effect on 1 May 2018
- Storage and distribution to residential use (borough-wide) – made in March 2017 and due to come into effect on 1 May 2018
- Launderettes to residential (applies to all launderettes in the borough which are outside of Conservation Areas) - made in March 2017 and due to come into effect on 1 May 2018.
- **Chesham Arms** - An immediate Article 4 Direction for The Chesham Arms Public House, 15 Mehetabel Road took effect on 6th March 2015 removing permitted development rights for any change of use.

4. Neighbourhood Planning & Duty to Cooperate

Neighbourhood Planning

- 4.1 Neighbourhood planning was introduced by the Localism Act 2011. The Government also introduced guidance on submitting Neighbourhood Area and Forum applications in the Neighbourhood Planning (General) Regulations, in 2012 and 2016. Through the Localism Act, local communities have the power to influence the future of the places they live by preparing Neighbourhood Plans. Neighbourhood Plans are led and prepared by the community. The Council has a statutory role to provide advice and support to those producing a plan
- 4.2 Neighbourhood planning allows communities to influence the development and growth of their local area through the production of a Neighbourhood Development Plan, a Neighbourhood Development Order, or a Community Right to Build Order. Neighbourhood Planning is taken forward by Neighbourhood Forums that apply to the Council to designate a 'Neighbourhood Area' for which to focus their proposals.
- 4.3 As Neighbourhood Plans become formal planning documents with significant weight in decisions on planning applications, they have to be prepared following a statutory process, broadly similar to that for the Council's own plans.
- 4.4 Before a Neighbourhood Plan can be considered a Neighbourhood Forum needs to be formed and a Neighbourhood Area needs to be agreed. The Neighbourhood Forum will set the boundaries for the neighbourhood area, and this must be agreed by the Council. There can be only one Neighbourhood Forum for each area.
- 4.5 For a Neighbourhood Plan to be accepted it must comply with local and national planning policy. Neighbourhood Plans can provide detail on how the Council's borough-wide planning policies should be applied in a local area, to reflect the aspirations of the community and local circumstances. Neighbourhood Plans have to be in line with the overall strategic approach in Hackney's existing adopted plans and national policy.
- 4.6 In January 2015 the Government introduced a number of amendments to the Neighbourhood Regulations. The Neighbourhood Planning (General) (Amendment) Regulations 2015 became effective from February 2015. The Government introduced new time limits for local authorities to determine Neighbourhood Planning applications. New Regulation 6A was added into the 2012 Regulations to prescribe the date by which a local planning authority must determine an application for the designation of a

neighbourhood area to 13 weeks. Where an application area straddles a borough boundary and falls within the administrative area of two or more local planning authorities, the prescribed period is 20 weeks.

- 4.7 Changes were also made to the time allowed for representation and to the list of documents that a qualifying body must submit to a local planning authority with a proposal for a neighbourhood plan. The minimum period that a local planning authority must allow for representations was reduced from six weeks to four weeks. Additionally, Neighbourhood Forums are now required to submit either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environmental assessment is not required.

Hackney's designated Neighbourhood Areas and Forums

- 4.8 The Council has so far designated four neighbourhood areas and one forum. These are as follow:

- Central Stamford Hill Neighbourhood Area - designated July 2013
- Chatsworth Road Neighbourhood Area and Forum - designated July 2013
- Queen Elizabeth Lordship Neighbourhood Area - designated January 2015
- East Shoreditch Neighbourhood Area - designated February 2015

Chatsworth Road Forum

- 4.9 The Chatsworth Road Forum was the first group in Hackney to implement the legislation and their applications to designate a Neighbourhood Area and Neighbourhood Forum were approved by the Council in July 2013.



Fig 4.1: Designated Chatsworth Road Neighbourhood Area

4.10 The Chatsworth Road Neighbourhood area is a mainly residential area bounded by the River Lea to the east, Lea Bridge Road to the north, Lower Clapton Road to the west and Homerton High Street to the south. The Neighbourhood area focuses on Chatsworth Road, the local neighbourhood's high street which runs through its centre. Most of the area is within 10 minutes walking distance of the Chatsworth road local shopping centre. The Chatsworth Road Neighbourhood Forum are currently working on a draft Plan.

Central Stamford Hill Neighbourhood Area

4.11 The Council designated the Central Stamford Hill Neighbourhood Area in July 2013. Following the Council's refusal of a total of 4 separate Stamford Hill area and forum applications. Hackney Cabinet refused the forum applications on the grounds of their negative impact on community cohesion in Stamford Hill. Given the pressure for growth in this part of the Borough and the need to build local consensus on planning issues, Cabinet resolved that the Council should lead on developing an Area Action Plan (AAP) which would work with both groups and build community cohesion in the Stamford Hill area.

4.12 A Cross Party Project Steering group involving local Ward Members from all three political parties has been set up to steer the AAP and is working well. This has been followed by a Community Panel which includes community representatives and local people who live or work in Stamford Hill. The main purpose of the Community Panel is to ensure that a range of local views are taken into account in the policies developed in the AAP. The group includes representatives of both Stamford hill Neighbourhood Forum groups, key community groups, faith groups and Ward Councillors. The work with the Community Panel won the London Planning Award, for the Best Community Led Regeneration Project in 2016.

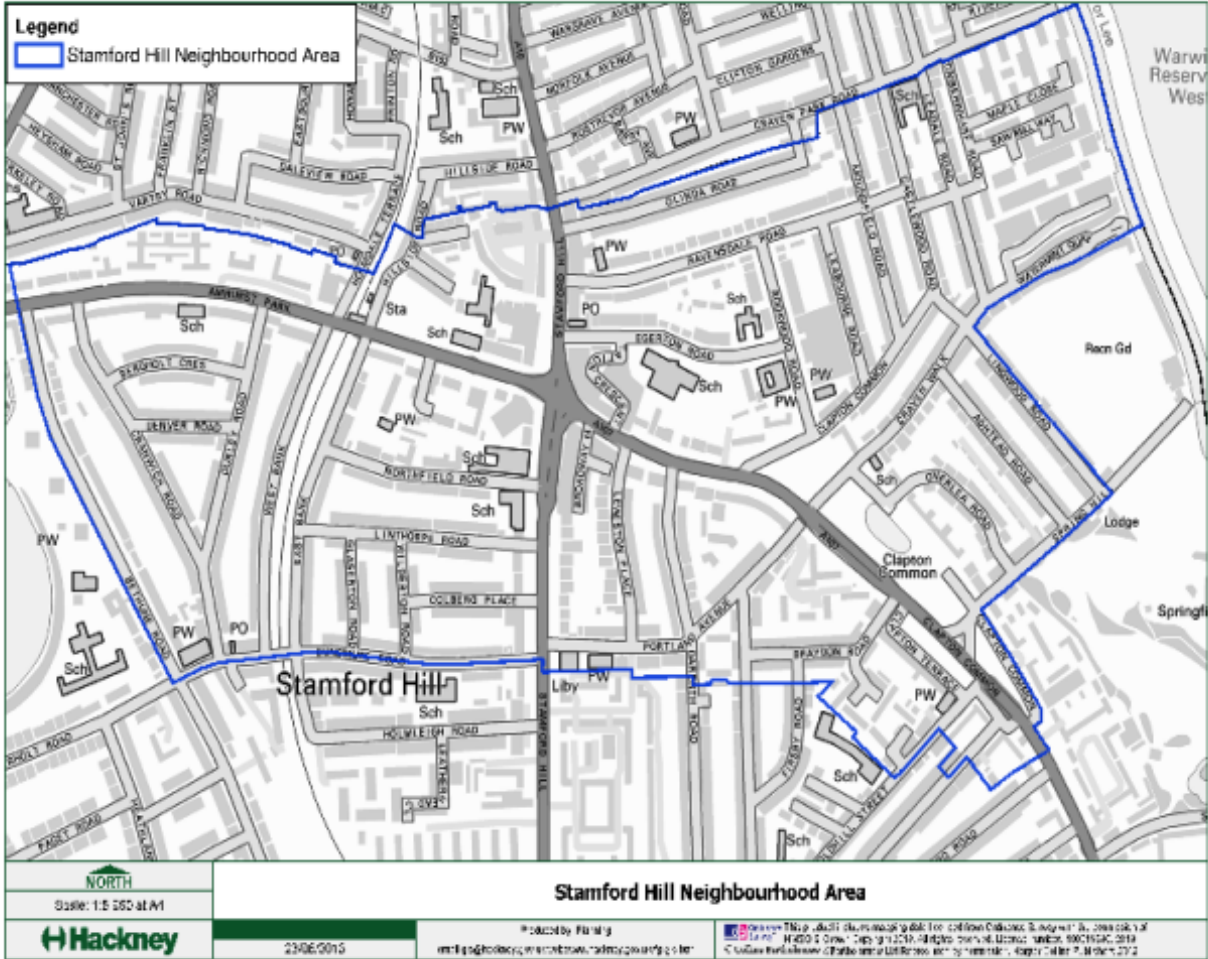


Fig 4.2: Designated Central Stamford Hill Neighbourhood Area

Queen Elizabeth/ Lordship Neighbourhood Area

4.13 In January 2015, the Council designated a Neighbourhood area in Clissold Ward. The Queen Elizabeth Lordship Neighbourhood Forum group made an application for a small Neighbourhood Area, comprising a series of residential streets in the North east corner of Clissold Park. The group are still in the process of developing their neighbourhood forum and have decided not to proceed with a forum application for the time being. This application was for a neighbourhood area only and covers a small area comprising about 5 streets bounded by Lordship Road and Clissold Park. Some of the area is already within a Conservation Area and the main focus of the group is on improving local design and amenity. The Neighbourhood Area was approved un-amended at the January 2015 Cabinet.



Fig 4.3: Queen Elizabeth/Lordship Park Neighbourhood Area

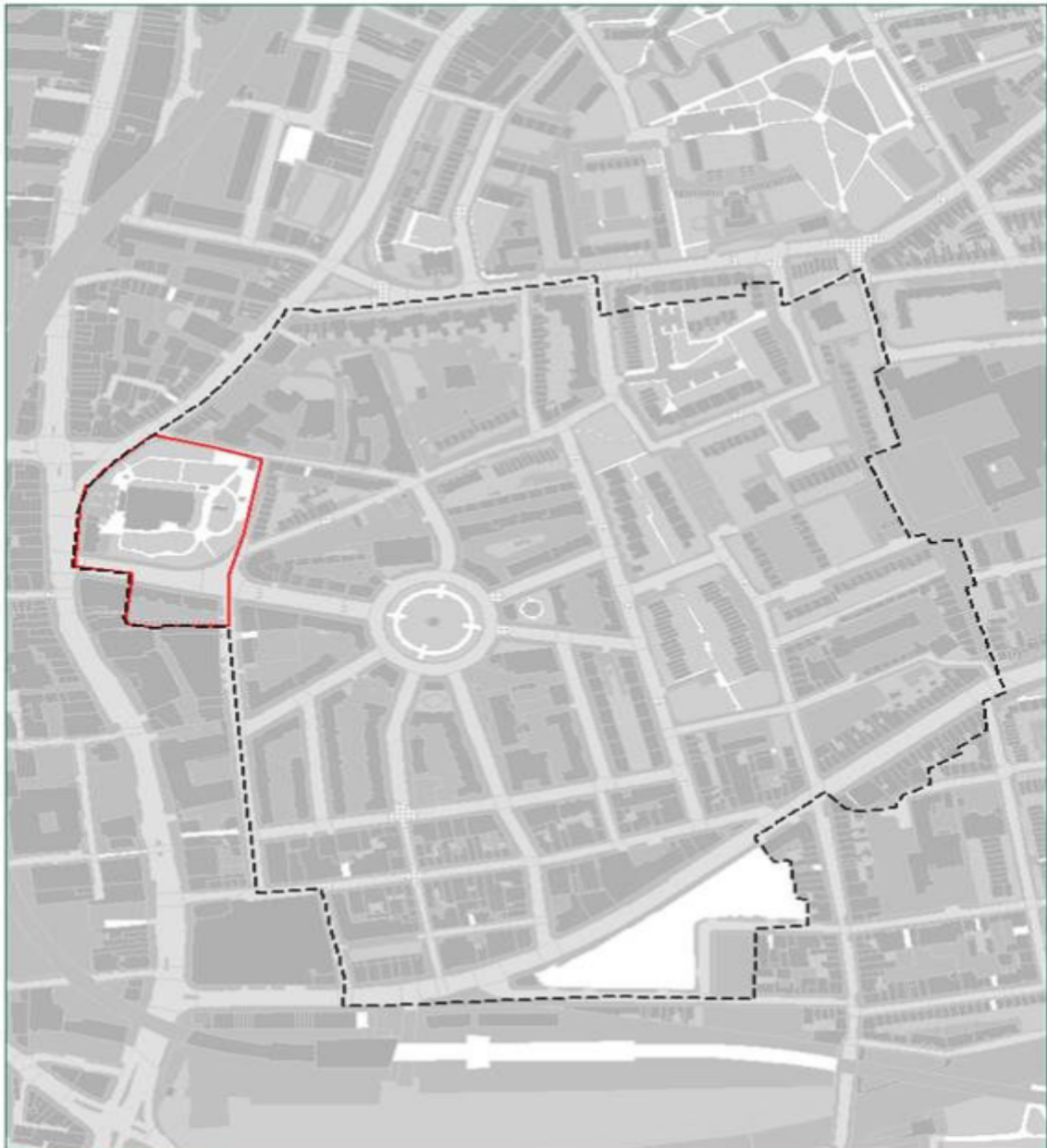
East Shoreditch Neighbourhood Area and Forum applications


4.14 The East Shoreditch Neighbourhood Forum submitted a Cross Borough Tower Hamlets /Hackney application for a neighbourhood area and forum, which was considered by the Hackney Cabinet in February 2015. The submitted area was focused on the Boundary Estate, but also included the east side of Shoreditch High Street including key business

locations. Tower Hamlets Cabinet approved both the area and forum applications for their area in February 2014.

- 4.15 Hackney Cabinet designated a smaller neighbourhood area boundary centred on the Hackney section of Calvert Avenue and St Leonards Church. The accompanying application for an East Shoreditch Neighbourhood Forum was refused on the grounds that the associated boundary had been altered and no longer reflected the make-up of the Neighbourhood area. It was also considered that the proposed forum was primarily drawn from the residential areas located within the Tower Hamlets boundary, which under represented the business interests in Hackney. The cabinet report also included a resolution for the planning team to start work on a Shoreditch Area Action Plan (see update on Future Shoreditch – Area Action Plan)

Fig 4.4: East Shoreditch Neighbourhood Area (area outlined in red)



		Proposed East Shoreditch Neighbourhood Area	
Scale: 1:3,130 at A4	19/01/2015	Author: Ely, C. & P. G. G.	<small>This product includes mapping data Sourced from Ordnance Survey with the permission of Ordnance Survey. Copyright © 2015. All rights reserved. Licence number: 1000105. 2015</small>

Duty to Cooperate

4.16 Section 110 of the Localism Act introduces the duty to co-operate in relation to the planning of sustainable development (as a new section 33A in the Planning and Compulsory Purchase Act 2004). In effect, for Hackney Council, this means that in preparing its Local Plans, the Council must co-operate with:

- Neighbouring local planning authorities and county councils;
- Other local planning authorities and county councils where sustainable development or use of land would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council, or on other strategic issues such as infrastructure which may have an impact; and
- The “prescribed bodies” and “specific and general consultation bodies” which are considered to be of most relevance to the preparation of the development plan for Hackney, as described in the Duty to Co-operate Report published in December 2013.

4.17 The Act also requires the local planning authority to:

- Engage constructively, actively and on an ongoing basis with these authorities and bodies to develop strategic policies;
- Set out planning policies to address issues which arise from the process of meeting the Duty; and
- Consider joint approaches to plan making.

Organisation	Nature of Cooperation
All prescribed, specific and general bodies	<p>Consultation on Local Plan 2033 - Notification to interested parties about the Local Plan. Meetings with prescribed bodies such as Historic England regarding Areas of Archaeological Priority, the GLA (see section in table below).</p> <p>Attendance at cross borough Inter Faith Forum.</p>
London Boroughs	<p>Attended the Association of London Borough Planning Officers (ALBPO); regular one-to-one meetings with the London borough of Islington, City of London, Tower Hamlets, Waltham Forest GLA and others.</p> <ul style="list-style-type: none"> • Tower Hamlets meetings 25/09/17 and 21 /11/17 focussed on the respective Local Plan reviews, Bishopsgate Goodsyrd and the emerging Shoreditch AAP • Waltham Forest meeting 05/05/17, and another scheduled for 11 /12/17. Meeting focussed on the respective Local Plan reviews and the Lee Bridge, Leyton and Clapton areas. • City of London meetings 14/12/16 and 20 /09/17 focussed on the respective Local Plan reviews, and the Liverpool Street and Shoreditch areas where the two boroughs meet. • Haringey meetings: 12/12/16 focussed on LBH direction of travel document and subsequent meetings regarding Finsbury Park. • Islington meeting 15/12/16. Discussions regarding LBH direction of Travel document and LBI Regulation 18 draft Plan and the emerging Shoreditch AAP. • Newham meeting 31/05/17 focused on respective Local Plan preparation work and evidence base. <p>Representation to Haringey Local Plan at all stages. The Plan was adopted in July 2017.</p> <p>Representation to Tower Hamlet Local Plan Regulation 19 consultation in October 2017.</p> <p>Representation to City of London Local Plan Issues and Options in January 2017.</p> <p>Representation to Waltham Forest Leyton and Lea Bridge (Lea Valley Eastside) consultation in January 2017.</p>
North London Waste Plan	<p>The NLWP was consulted on between July and September 2015. The seven Boroughs are still considering the proposed Crossrail 2 scheme potential implications for existing and proposed waste sites before working on proposed submission version of the plan. Ongoing meetings with officers and Members and DTC bodies relevant to waste matters.</p>
London Legacy Development Corporation	<p>Cooperation on strategic matters relating to the Hackney Wick area. Regular meetings held with the LLDC and the former host boroughs, the Lee Valley Regional and Transport for London on Planning Policy matters.</p>

GLA	<p>The Council have met with GLA officers to discuss the emerging policies in the draft Local Plan and the new draft London Plan. LBH officers have also had numerous meetings with the GLA in relation to the SHLAA work and also attended events relating to the London Plan including their evidence base on town centres and industrial Land</p> <p>Representations made to the London Plan ` A city for All Londoners' December 2016</p> <p>Hackney made representation to the Draft Affordable Housing SPG February 2016.</p>

Table 4.1: Duty to Cooperate actions in 2015/16

5. Housing

5.1 Housing forms a central element of the Council’s planning policies, with the principle aim of ensuring that the housing needs and aspirations of Hackney’s current and future residents are met in a way that is sustainable.

5.2 The borough faces extremely high demands for housing, with the most recent Market Assessment indicating need to build at least 1758 new homes each year to meet the needs of a growing population. Planning policies aim to achieve this target, while ensuring that new homes are of the correct size, tenure and above all quality to meet the needs of residents. Hackney is required by the London Plan to meet and exceed a housing target, set, from 2015 at 1599/annum. The next iteration of the London Plan is proposing a housing target of 1,330/annum effective from 2019 based on an assessment of land availability.

Net additional dwellings over the last 5 years (FY2013-17)

5.3 As a raw measure of policy effectiveness, total housing delivery over the last 5 years has totalled 8261 units, an average of 1652/Year. Three out of five years exceeded the target with almost half delivered in 2011-12 (See Fig 5.1, below).

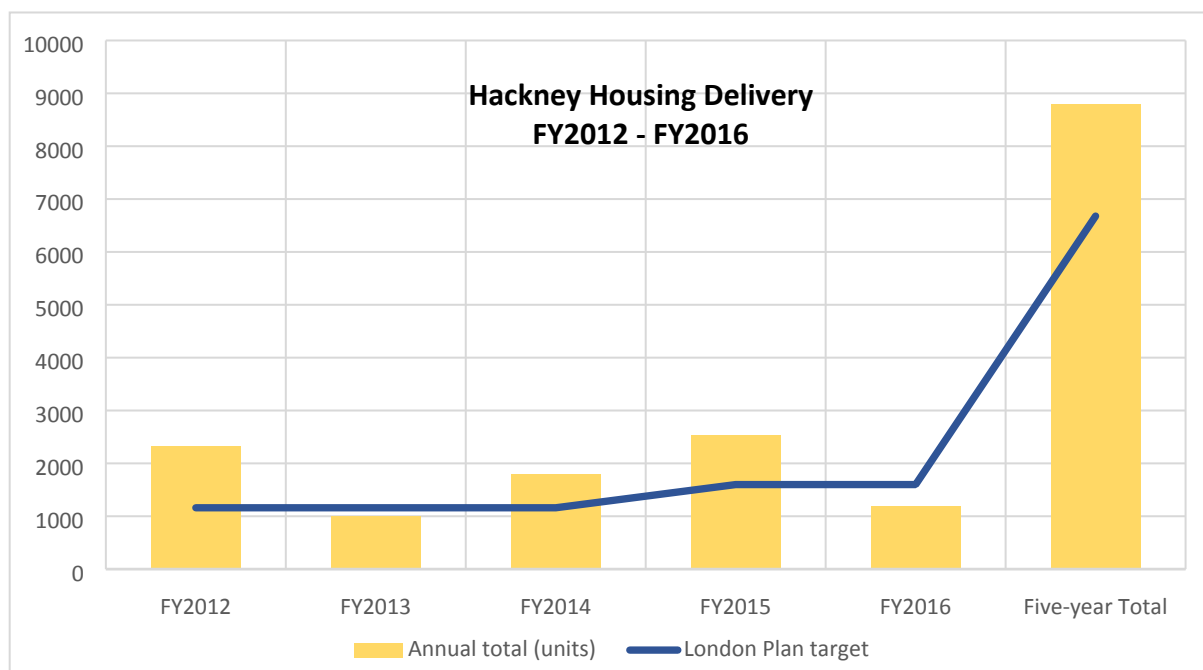


Figure 5.1: Housing Delivery in Hackney FY2012-FY2016

Tenure	FY2012	FY2013	FY2014	FY2015	FY2016	5 year Total
Affordable Rent	13		11	45		69

Intermediate	319	107	210	107	158	901
Market	690	642	1117	1214	1005	4668
Social Rented	778	128	459	94	20	1479
Empty homes returning to use	874	117	-41	36	-9	977
Non-conventional supply	-	-6	35	1025	4	696
Annual total (units)	231	988	1791	2521	1178	8790
London Plan target	116	0	1160	1160	1599	1599
						6678

Table 5.1: Housing Delivery in Hackney FY2012-FY2016

5.4 Although housing delivery for the current reporting year (FY2016) was below the housing target, the level of housing delivery is more appropriately measured over the longer-term due to several factors influencing housing delivery in any given year. Over the last five years the borough delivered approximately 132% of its target, with delivery exceeding the target for the period almost two years early, in 2015. This represents a significant boost to housing numbers within the borough and indicates that planning policy has enabled new dwellings to come forward.

Delivery by Type

- 53% conventional market units
- 17% socially rented (i.e. Hackney Council/Housing Association)
- 11% empty homes in the borough being returned to use
- 10% Intermediate (Shared Ownership, etc)
- 8% Non-Self Contained (Student Halls and Hostels)
- 1% Affordable rent (Tenures set to 80% of market rates)

Housing Delivery By Type, FY2012-FY2016

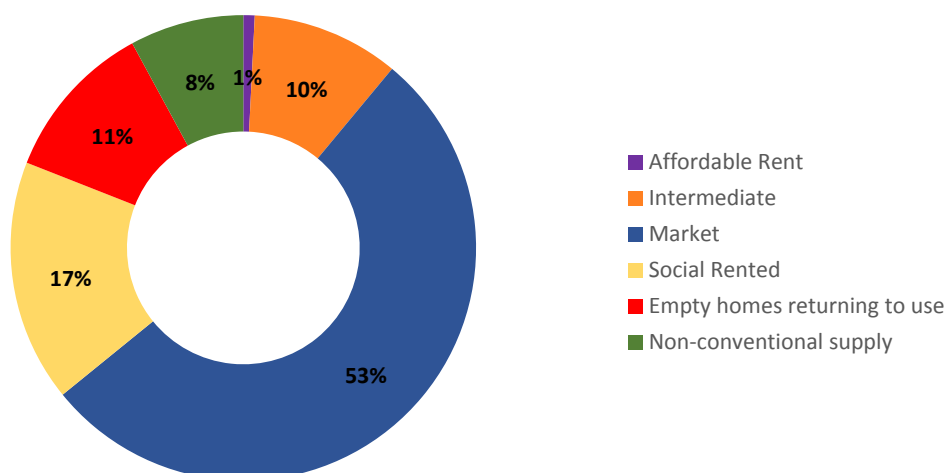


Figure 5.2: Housing Delivery in Hackney by Type FY2012-FY2016

- 5.5 In line with the London Plan, Hackney seeks the maximum reasonable amount of affordable provision in developments, with policy current set at a target 50% affordable housing on conventional developments over 10 units through policy DM21 of the DMLP and 20 of the Core Strategy. As non-conventional developments are not covered, they have been set aside when calculating the proportion of affordable vs. market units delivered.
- 5.6 As a proportion of conventional developments:
- 35% or 2449 units were affordable over the last 5 years. Of this:
 - 21%, or 1479 units were socially rented
 - 13%, or 901 units were intermediate
 - <1%, or 69 units were Affordable Rent

Conventional Supply By Type, FY2012-FY2016

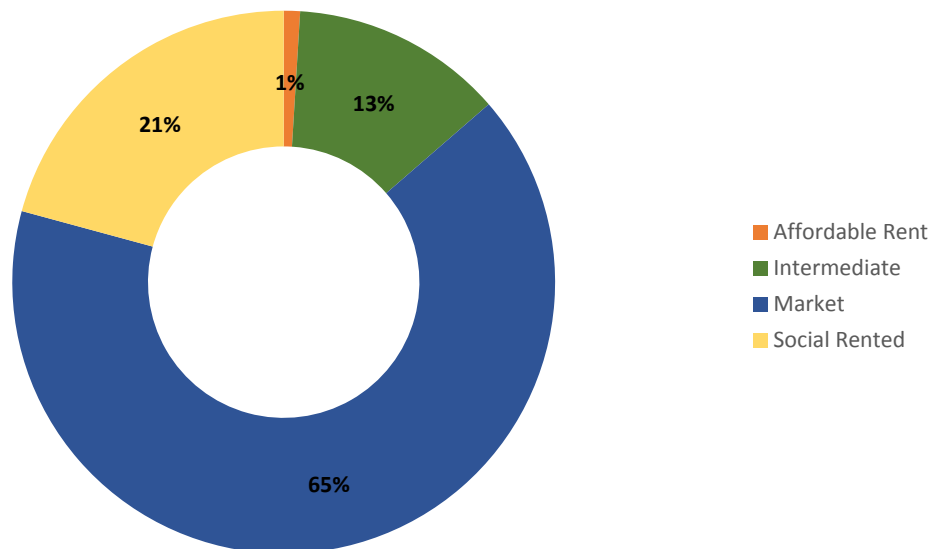


Figure 5.3: Conventional Supply in Hackney by Type FY2012-FY2016

- 5.7 Core Strategy Policy 21 sets out a mix of 60% Social Rented vs. 40% Intermediate (or other). This target was more closely met, with 65% of the affordable element delivered as social housing versus 34% Intermediate. Affordable rent made up <1% of supply.
- 5.8 It should be noted that the large figure for long-term empty homes returning back to use (977 over the last 5 years) in Hackney is partly due to Hackney's efforts to tackle the issue of empty homes. Grant funding is available through the Council for landlords wanting to return empty properties in to use for renting by those on the Council's housing waiting list.
- 5.9 Non-self-contained housing refers to student housing, hostels, houses in multiple-occupation and housing for older people and accounts almost 10% of Hackney's delivery

for 696 net additional units over the period. Delivery of these units typically involves large losses and gains (as buildings either fall to other uses or new ones are constructed).

Delivery by Ward

5.10 Core Strategy Policy 1 sets out that new developments should be focused in growth areas, primarily the Town Centres, South Shoreditch and the railway corridors of the North and East London Lines. Below provides a spatial indication of Housing delivery in the last five financial years.

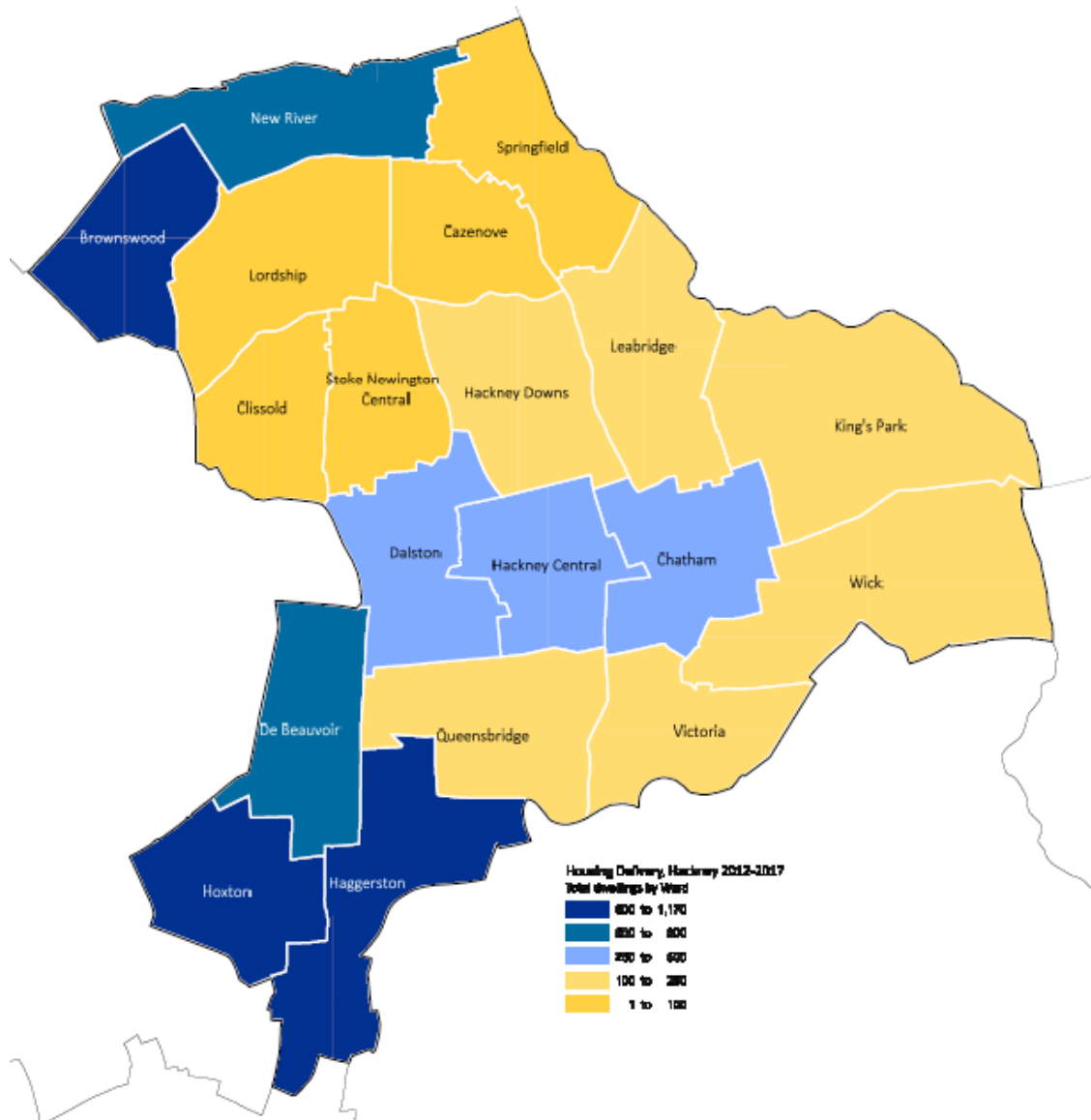


Figure 5.4: Housing Delivery by Ward, FY2012-FY2016

5.11 Figure 5.4 shows that there is a significant divergence in housing delivery between wards, with clear growth areas around the north of the borough and Shoreditch. There was also significant housing delivery in and around Dalston and Hackney Central.

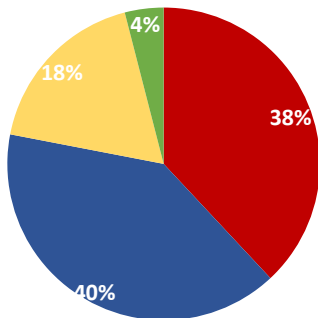
Ward	Net dwellings delivered Fy2012-Fy2016
Haggerston	1105
Hoxton	1162
De Beauvoir	538
Dalston	411
Queensbridge	195
Clissold	73
Lordship	51
Stoke Newington Central	86
Hackney Central	382
Victoria	104
Brownswood	930
Hackney Downs	101
Chatham	392
New River	756
Cazenove	51
Wick	202
Springfield	47
Leabridge	219
King's Park	229

5.12 These figures indicate that new housing growth is coming forward in line with the cores strategies' aims, broadly. However there may be a need to look at how Stoke Newington can better accommodate new growth. It may also be prudent to consider any new growth areas that need to come forward to meet future housing need, as sites within existing growth areas are developed.

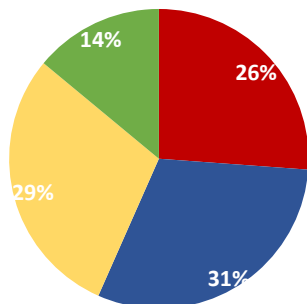
Housing Quality – Size and Density of New Conventional Development

- 5.13 Along with the provision of new units to meet the needs of the borough, Hackney places a particular focus on the quality of developments by requiring they contribute to reducing overcrowding and meet a range of sizes to suit the needs of the borough, and that they contain appropriate levels of space both within and overall in new developments.
- 5.14 The key element of this is the provision of a balance of smaller and larger units to fit a range of housing needs, with a specific focus on 3-bed houses established under Core Strategy 19 and extended by Policy DM22 to require specific amounts of 3bed or greater with a descending amount of 2bed and 1bed units.
- 5.15 As Fig 5.5, below demonstrates the last 5 years has delivered this, with an overall proportion of slightly more 2 beds than 1 beds units and marginally lower of 3 or more beds (26% in total).

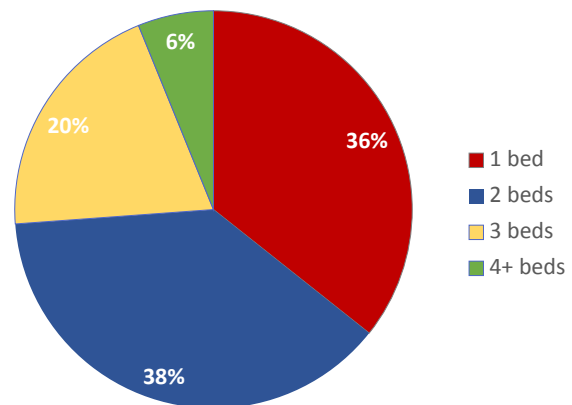
Number Of Bedrooms, Market Tenure



Number Of Bedrooms, Affordable/Social Rent Tenure



Number Of Bedrooms, All New Developments FY2012-FY2016



Number Of Bedrooms, Intermediate Tenure

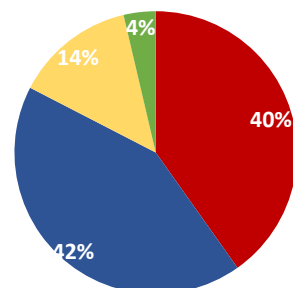


Figure 5.5: Bedroom Sizes, Tenures Fy2012-FY2016

5.16 Breaking this down by tenure, significant differences appear in the data. Market and intermediate unit sizes are predominantly 1 & 2 Bed, with a less-than-compliant level of larger sizes. Social Rent provides a more policy compliant mix, with 43% 3 or more bed units (Policy DM22 looks for 33%).

5.17 Overall, this policy is working effectively to broadly deliver the correct sizes of tenure, and ensuring that the right homes are delivered to meet the objectives of the borough.

Density of Dwellings

5.18 The average density of new housing in Hackney over the Last 5 years has on average been 230 dwellings per hectare (DpH). This is significantly above the London Average DpH which is 185 DpH. Neighbouring boroughs Islington and Tower Hamlets have significantly higher average residential densities (See Fig 5.6, below).

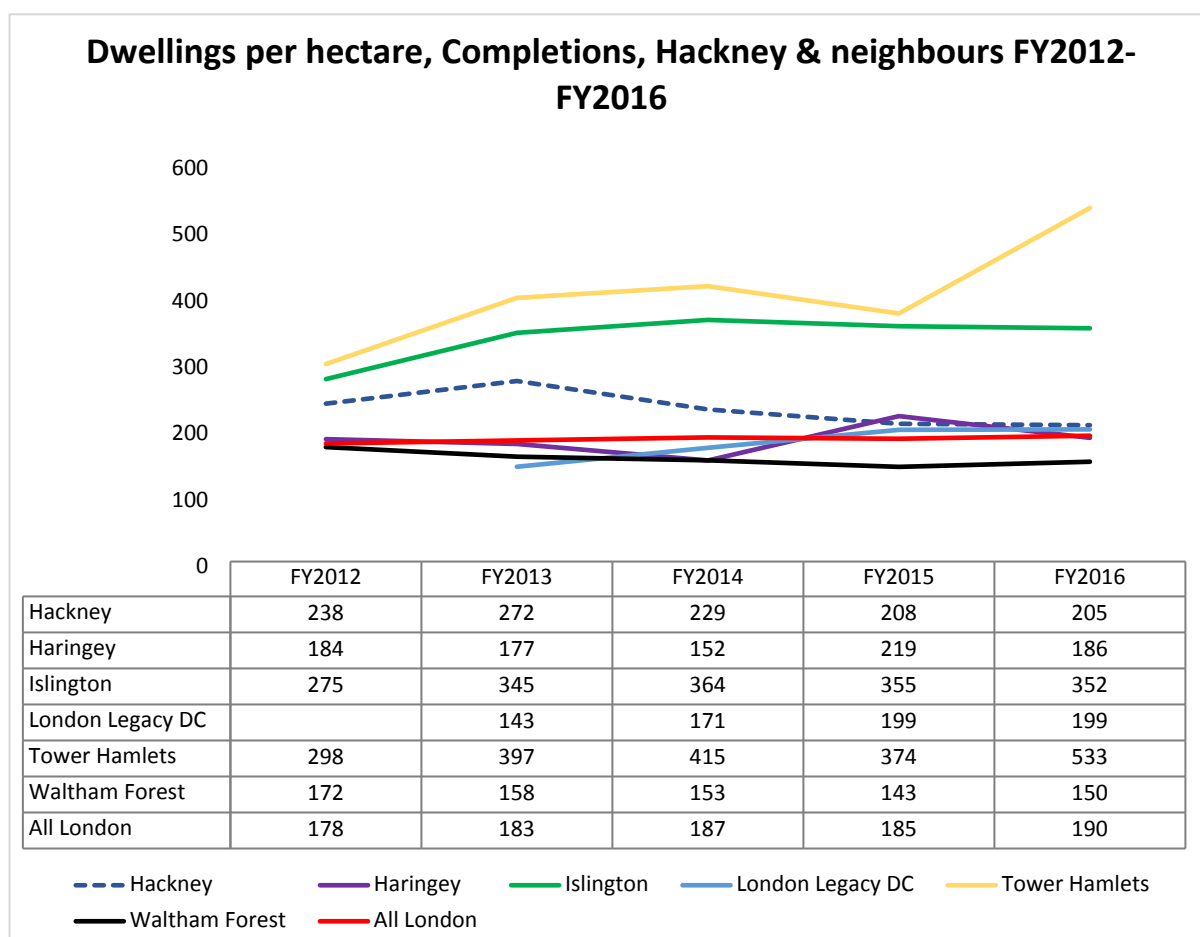


Figure 5.6: Dwellings per Hectare, Completed Developments FY2012-FY2016

5.19 Considering the physical limitation of space within the borough, densification is to an extent inevitable, and will require increasingly innovative design responses to provide a high quality environment.

Housing Affordability

5.20 Housing affordability is an obstacle to all of the objectives of Hackney’s Sustainable Community Strategy; from increasing income poverty, to reducing Hackney’s resident’s opportunities to access employment and the amenities to live healthy, successful lives, affordability has a key role to play.

5.21 Hackney’s Local Plan policies help to increase affordability by bringing forward affordable developments, and by increasing the total supply of homes, and therefore affordability acts as both a function of success, and an indicator of the need for stronger policy on affordable housing.

5.22 Fig 5.7 shows that housing has become increasingly unaffordable, with median house prices in the borough more than 16 times median incomes in 2016. In addition to this, unaffordability is accelerating, rising 70% or 6.6 between 2011 and 2016. This is compared to a rise of 1.7 2005-2011. This presents a significant issue for the borough going forward. An increasing proportion of new housing will need to be delivered within affordable tenures, and there will be increasing pressure on rents as residents are unable to get onto the Housing Ladder. Planning policy may need to consider how it can provide alternatives to home ownership through the private rental sector (PRS).

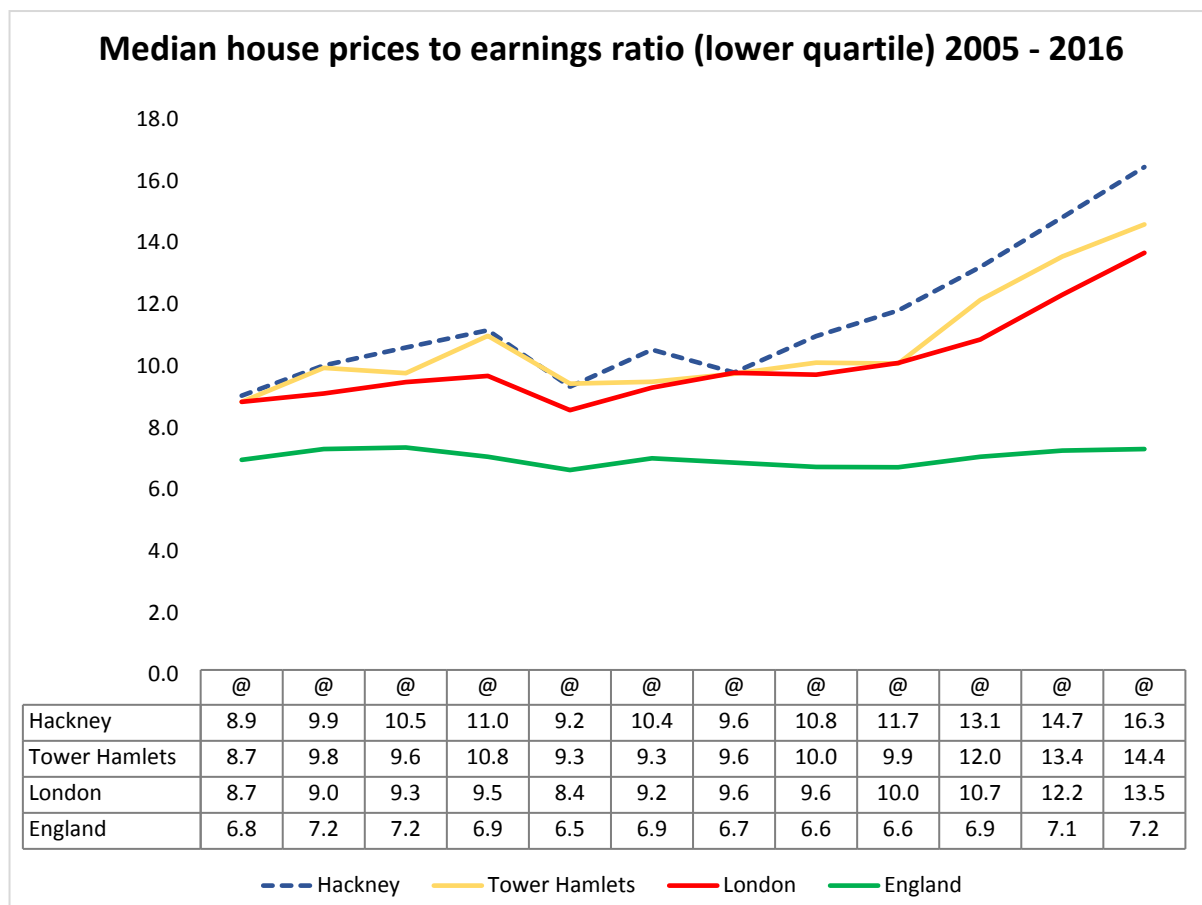


Figure 5.7: Median Income to House Prices, Hackney 2005-16

Net Additional Dwellings in the next 5 Years (FY17-21)

5.23 The NPPF requires Local Planning Authorities to optimise the supply of housing by assessing both demand and supply of new developments. This is to demonstrate a sufficient supply of housing for the next 5 years (a “5 Year Land Supply”) to meet and exceed the housing target for the borough set by the London Plan. It also requires the council to identify a further 5 years of deliverable sites, and where possible for the proceeding 5 years (i.e. years 10-15).

5.24 The London boroughs are subject to additional regulation through the London Plan. Acknowledging that there are significant supply-side (i.e. a lack of new suitable sites for housing) issues, the London Plan sets out a minimum delivery target for boroughs over a period. With the adoption in 2015 of the FALP Hackney’s minimum delivery 2015-2025 is 15,988 dwellings, which is expressed by an annualised minimum target of 1599 Dwellings per Annum. This is likely to change with the likely adoption of the new London Plan in 2019 however for monitoring purposes the current target will continue to be used until the plan is adopted. This current target is broken down into types of delivery, below:

Housing Target, FY2017-21	
Dwelling Type	Minimum Annualised Target
Conventional and Non-Self-Contained Dwellings	1471
Vacant units returning to use	128
Total per Annum	1599
Total 5 Years	7995
5% Buffer	400 (<i>Rounded up</i>)
Grand Total	8395

Table 5.3: Current Housing Target

5.25 This is a high target for planning policy to meet, but as figure 5.9 (overleaf) shows, the current pipeline of housing indicates that the borough will exceed this target by approximately 728 dwellings, with a total of 9123 dwellings expected to complete by 2022.

5.26 These numbers are clustered in certain areas of the borough, which broadly reflect the Growth Areas identified in the core strategy and major regeneration schemes.

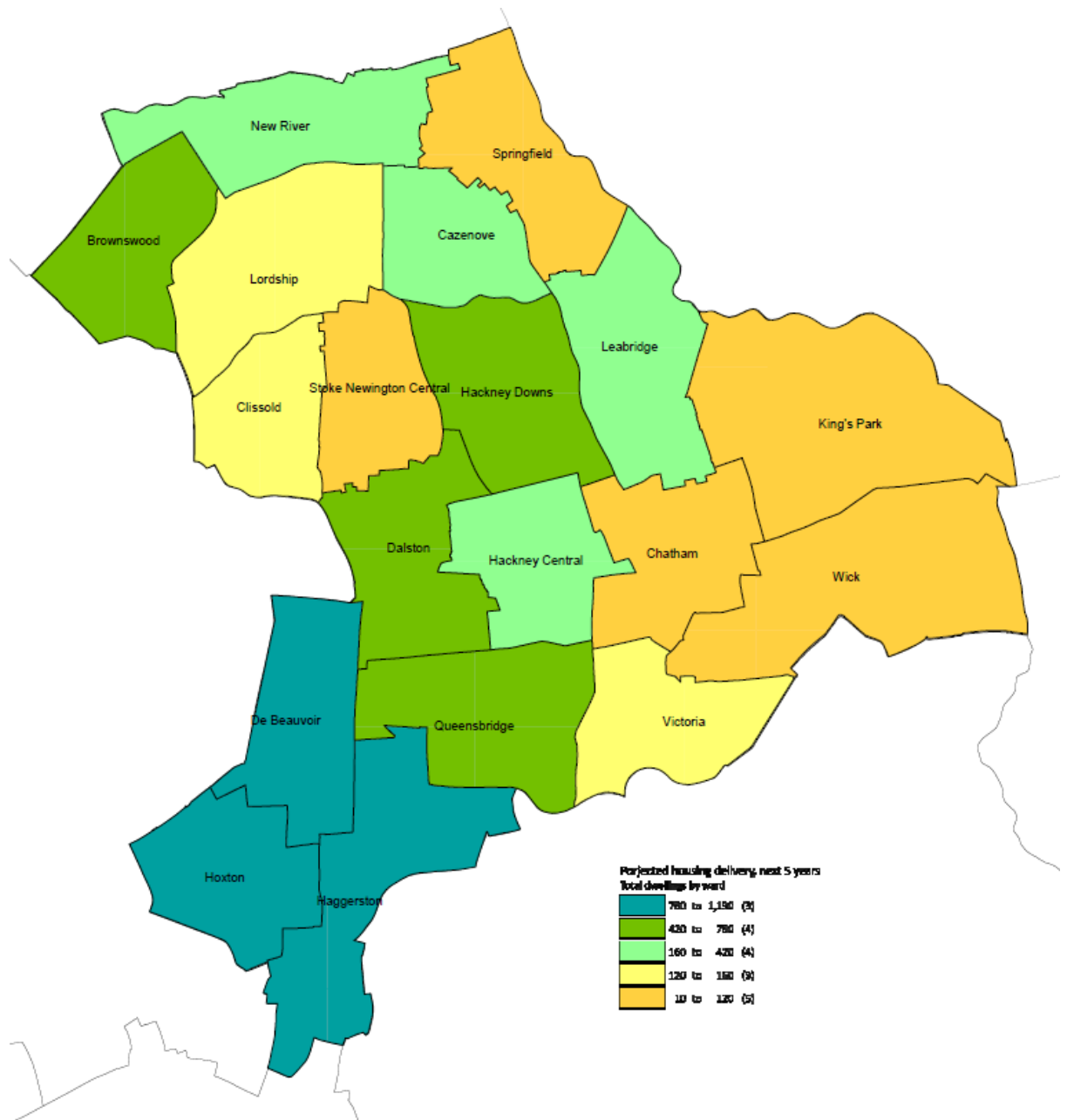
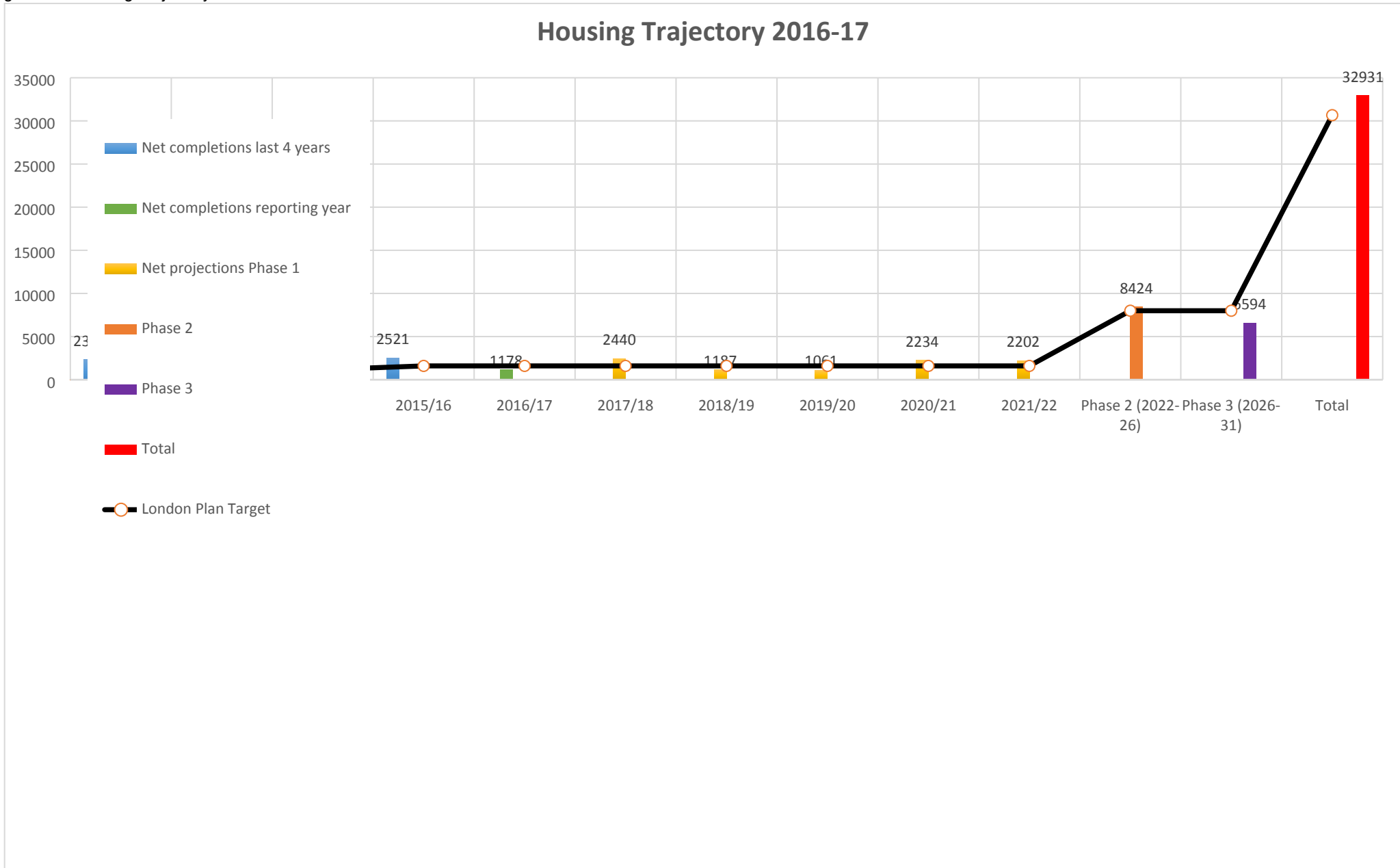


Figure 5.8: Housing Delivery, Pipeline to 2022

5.27 Figure 5.8 shows that the pipeline for new known developments (i.e. identified through planning permissions and allocated sites) over the next five years indicates that development is likely to continue to focus in and around the south of the Borough as well as the north-west. Significant housing growth is expected to take place in and around Dalston too.

Figure 5.9: Housing Trajectory 2015



5.28 Figure 5.9 sets out the updated housing trajectory for the borough in graphical form, as well as the London Plan Minimum target. As this demonstrates, Housing delivery in the borough is expected to significantly exceed targets over the next several years, tailing off in Phase 3 around 2026 with a slight under delivery. Over this time period however total housing delivery is projected to exceed the London Plan target over the same period by 7%.

5.29 The trajectory indicates that Hackney can demonstrate a 5-year land supply, as required by the NPPF, as well the 5% buffer which is required by authorities which do not have a history of significant under delivery.

5.30 Overall, between 2017-18 and 2021-22 the borough will deliver a total of 9123 homes, or 114% of its London Plan Target. Delivery in the period is broken down below:

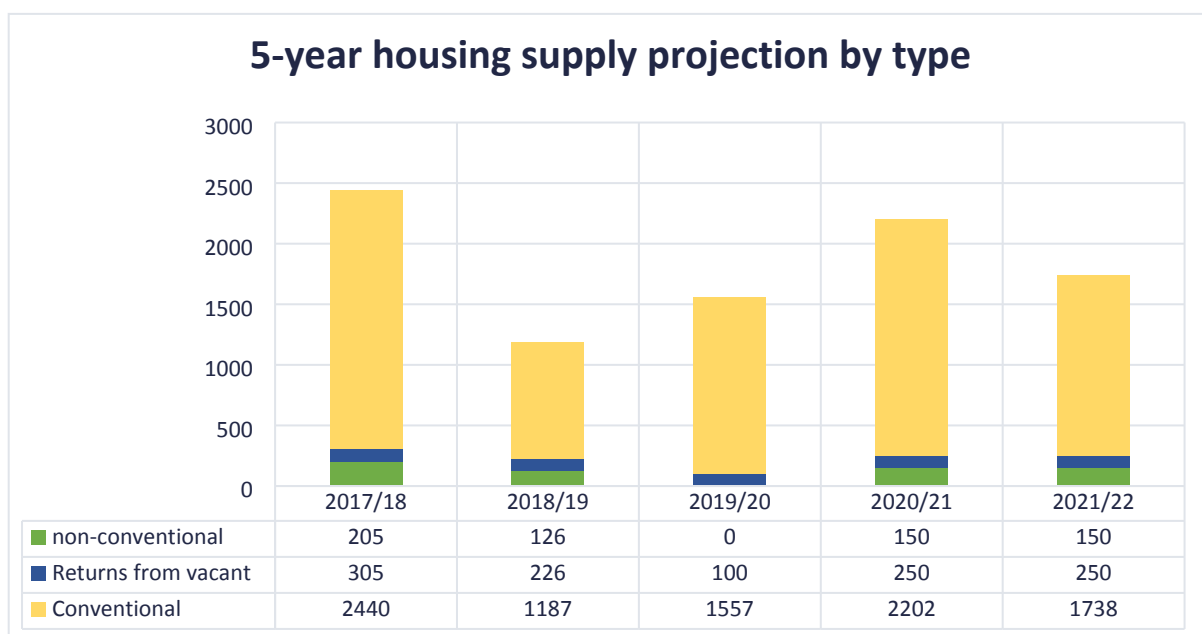


Figure 5.10: Trajectory for 2016-20 by type of housing.

5.31 Conventional completions make up the bulk of new development coming forward in the borough. It is supplemented by Non-conventional units, mostly in student halls. The gradual drop-off towards the end of the period is largely the result of a lack of concrete (application based) data and a transition to projected sites coming forward.

5.32 Overall, the housing trajectory shows a healthy level of growth going forward, with sites from SALP and AAPs expected to make significant contributions towards overall housing growth. Furthermore, the long term outlook also provides a strong foundation for future housing development, if complemented by new site allocations which will come forward in Local Plan 2033, as well as sites in the Council’s emerging Brownfield Register.

Analysis

- 5.33 Over the last 5 years, planning policy has led to the delivery of **132% of London Plan targets**, providing a total of **8790 units**. Of this amount, approximately **2449 affordable units have been delivered, or 35%**. While this does not meet the council's very high target of half of new housing being affordable, it represents an outstanding achievement against a **London average of 24%** over roughly the same period, and is 6% higher than that of Tower Hamlets (29%) which shares Hackney's housing market. In addition, it has been highly successful in delivering a large proportion of 3 and 4 bed properties (26%) as required by Core Strategy policy 19 and DMLP 22. The new Local Plan will need to ensure that affordable housing delivery remains a critical aspect of planning policy.
- 5.34 However, housing policy faces new challenges going forward. The Council's housing target increased in 2015 to 1,599 homes/annum however it now expected to be lowered to 1,330 homes/annum from 2019 as set out in the Draft London Plan (December 2017). Despite this housing need in Hackney is higher than identified housing capacity in the Borough. Figure 5.8 shows that there is **sufficient development - 9123 homes, or 114% of target** in the pipeline to meet targets **over the next 5 years** to 2022, but the borough will need to develop additional sites for housing if it to meet the needs of its residents in the future.
- 5.35 In addition to this, **Housing affordability** continues to increase year-on-year, almost **doubling between 2008 and 2016** despite the great recession, with **median prices reaching over 16:1 with median earnings**. This poses a significant challenge to the delivery of new homes for the people of Hackney. The most recent Strategic Housing Market Assessment suggests that if the council were to achieve its objective of meeting the needs of current and future residents **planning must deliver 66% of new housing as socially rented**, and if trends continue it is not unforeseeable that provision of social housing may reach 90-100% in order to ensure that the housing needs and aspirations of Hackney's current and future residents are met in a way that is sustainable. This is challenging within a national policy environment where viability remains the key driver of provision. LP33 will set out policies aimed at maximising the provision of affordable units across Hackney with regard to development viability, including from smaller developments (below 11 units) where there is not currently a requirements to provide affordable housing and where almost half of the borough's housing comes from.

6. Employment

6.1 Increasing employment is a key objective of the borough aimed at reducing poverty and increasing life chances. In addition, changes to employment floorspace can have significant impacts for business rates and spending in Hackney, contributing to economic prosperity. Planning policy aims for Hackney to be one of London's most competitive and affordable business destinations, with policy supporting the main growth areas to attract a distinctive mix of enterprises through providing a high quality environment around industrial locations and ensuring all employment areas offer high quality affordable units.

6.2 Core Strategy Policy 17 and DM14 seek to protect areas of high levels of business floorspace, known as Priority Employment Areas, and seek to encourage increased provision of employment floorspace within these areas. The principle aim is to ensure these areas retain the benefits of agglomeration, such as supply chains/networks, collaboration and operation, without damaging residential amenity.

Employment Uses

B1a	Offices
B1b	R&D
B1c	Light Industrial
B2	General Industry
B8	Storage & Warehousing
D1	Non-residential Institutions

Net change (m²) of B1, B2 and B8 and D1 uses in PEAs and overview of the Borough

- 6.3 Core strategy policy 17 seeks to prevent the loss of employment floorspace. This is reinforced through DM14. Within PEAs, DM17 seeks employment-led schemes, i.e. B1, B2 and B8, D1 as the majority use but enables residential to come forward as long as they are auxiliary to the employment component. This is balanced in tension with encouraging the agglomeration of businesses in a way which supports and protects them, and residents existing residential areas to create a balance with other land uses in the borough.
- 6.4 Between 2012-2017, as figure 6.1 shows (overleaf) there has been a significant net loss of employment space in priority employment areas as a whole. Within the PEAs these losses have occurred in B1 and B8, with total losses of 6,323sqm and 23,799sqm respectively. B2, already a very minor floorspace type in PEAs, lost 1837sqm. D1 floorspace on the other hand registers a total net increase of 22,145sqm. Figure 6.1 indicates that PEAs were affected in different ways, with some experiencing significant losses (Wenlock, Homerton and Mare Street) while others, such as Kingsland saw transitions between employment uses (in this case B8 to B1) and Shoreditch saw a net gain in B1 floorspace but a loss of B8.

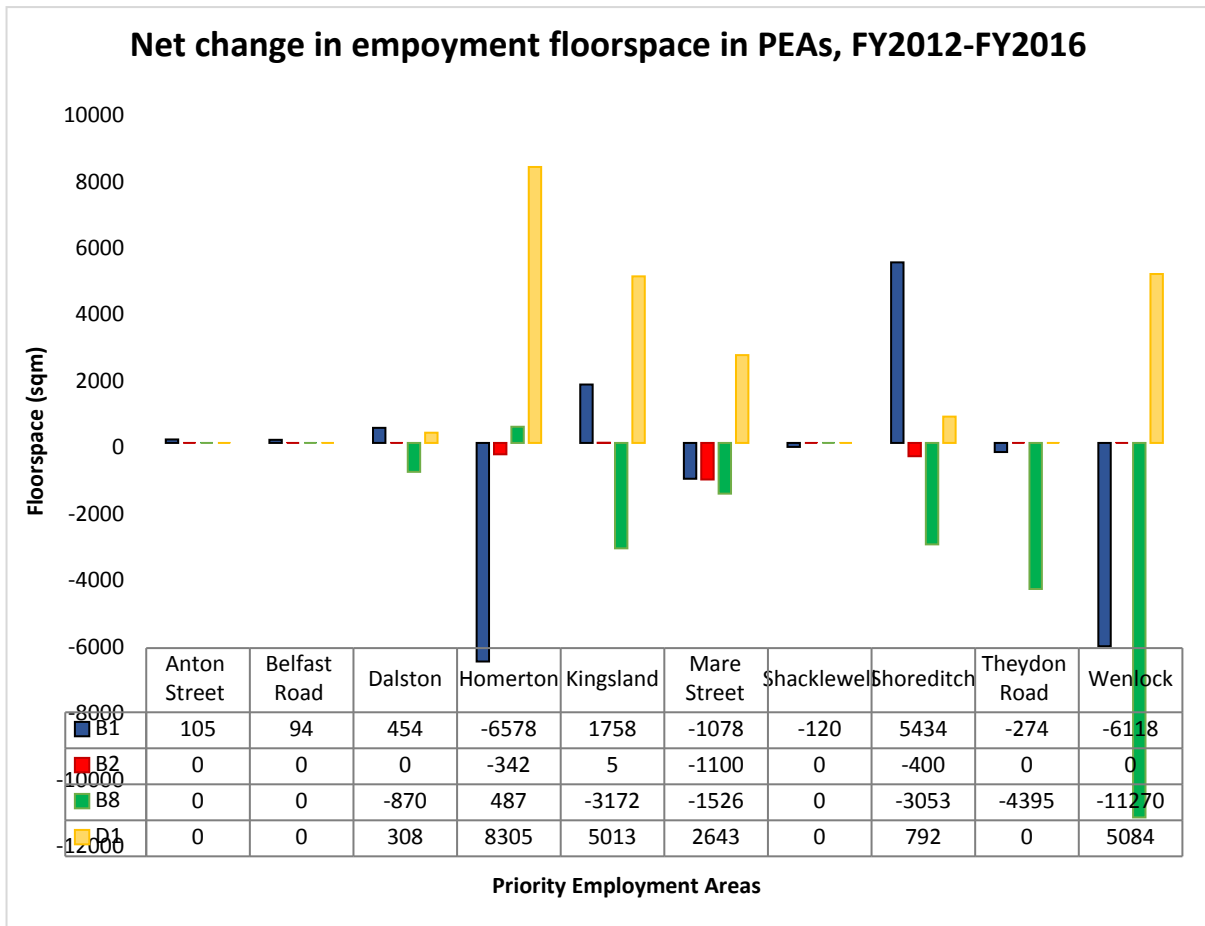


Figure 6.1: Net Change in Employment Floorspace in PEAS FY2012-FY2016

6.5 Whilst policy is working to counteract the loss of employment floorspace, a significant amount of B1, B2 and B8 floorspace has been lost in PEAs. Whilst losses in the rest of the Borough in B1 and B2 floorspace have been greater than in PEAs (where the majority of existing stock is) and this shows the effectiveness of policy in limiting losses in PEAs, changes in stock in PEAs have still been high in recent years. Loss of B8 floorspace in PEAs is particularly higher than in the rest of the Borough with most of these losses concentrated in Wenlock, Theydon Road, Shoreditch and Kingsland PEAs. The biggest losses in PEAS occurred between FY2012 and FY2014, with a net gain of B1-B8 floorspace in FY2015 and FY2016. Many of these changes are signs of the changing nature of and way businesses are growing in Hackney, with increased job densities and a continued shift to a service/tech economy.

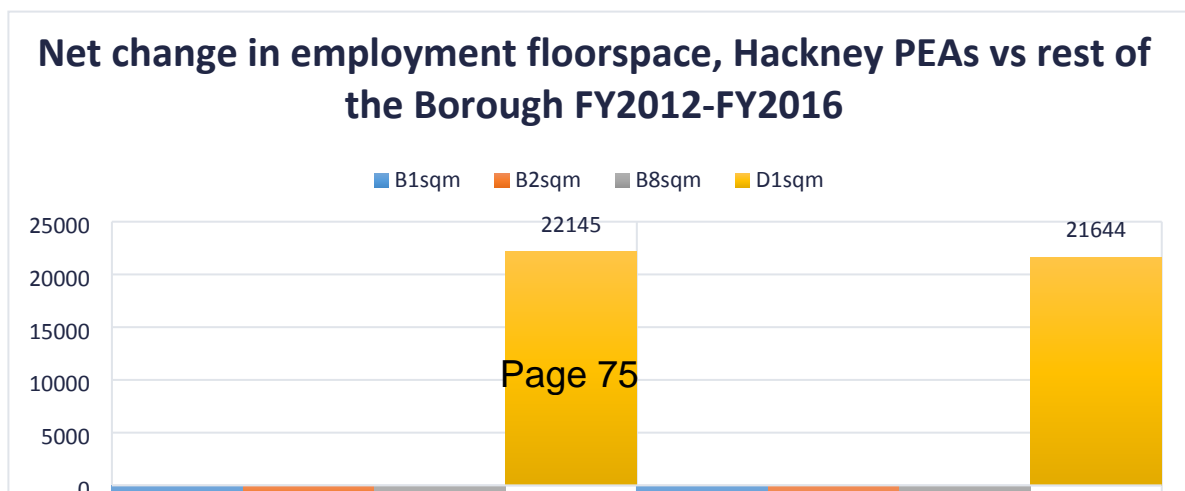


Figure 6.2: Net Change in Employment Floorspace PEAS vs Rest of Borough FY2012-FY2016.

6.6 2015/16 and 2016/17 show a different trend to the last five years combined. There was a net gain of 7,361sqm B1 floorspace in PEAs, compared to the loss of 6,323sqm over the previous five years as a whole. The majority of this was contained in Shoreditch and Mare Street, which together gained 11,095sqm of B1. Wenlock saw a significant loss of over 4,000sqm B1 floorspace, down mostly to a single development (2011/3007) which replaced it with over 5,000sqm of D1 floorspace. It should be noted that for several PEAs there was no recorded employment floorspace activity. There were few notable developments in 2015/16 and 2016/17, and key applications of interest were:

- 12-20 Paul Street (2007/1871) Demolition of existing buildings and erection of three buildings (6, 7 and 10 storeys, including basements) to comprise of 5400sqm of office space, 135 sqm of B1/A3 ground floor space and 419 flats for students accommodation with associated parking and landscaping.
- Mentmore Terrace (2013/4000) Demolition of single-storey warehouse (B2/B8 use) and erection of a 6 storey building (plus basement and mezzanine level accommodation) to provide 31 residential units (7 x 3 bed, 15 x 2 bed and 9 x1 bed) and 1724 sqm of Class B1 (Business) floorspace.

PEA	Net B1sqm	Net B2sqm	Net B8sqm	Net D1sqm
Anton Street	105	0	0	0
Belfast Road	94	0	0	0

Dalston	631	0	-870	0
Homerton	505	-342	487	0
Kingsland	72	0	-1080	4735
Mare Street	4696	-1100	-1382	
Shoreditch	6399	0	-2834	330
Theydon Road	-274	0	-4395	
Wenlock	-4867	0	922	5094
Total	7361	-1442	-9152	10159

Table 6.1: Net change in B1-B8 and D1 floorspace in PEAs, 2015/16-2016/17

6.7 As well as looking specific land use performance within PEAs, it is informative to look at the wider trends in the borough. Between FY2012-2016 there was a net loss of B1-B8 employment floorspace throughout the Borough but a gain in D1 floorspace.

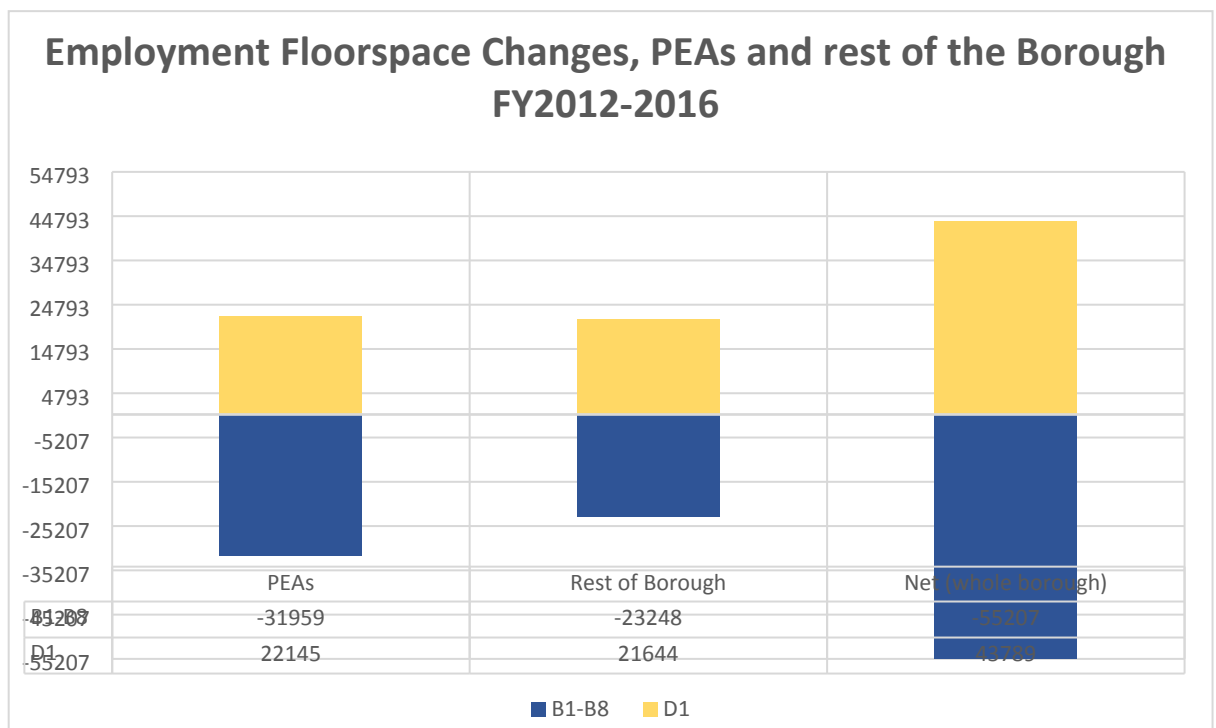


Figure 6.3: Overall Employment Floorspace Change, FY2012-16

6.8 Core Strategy policies 16, 17 and 18 look to increase levels of employment across the borough, and so this trend over the last five years is not considered to be positive. However, figure 6.4 (employment pipeline) shows this loss across the Borough and in PEAs will be offset by gains in high quality employment floorspace from developments already with planning permission.

Employment space pipeline, breakdown and overall net, FY2016

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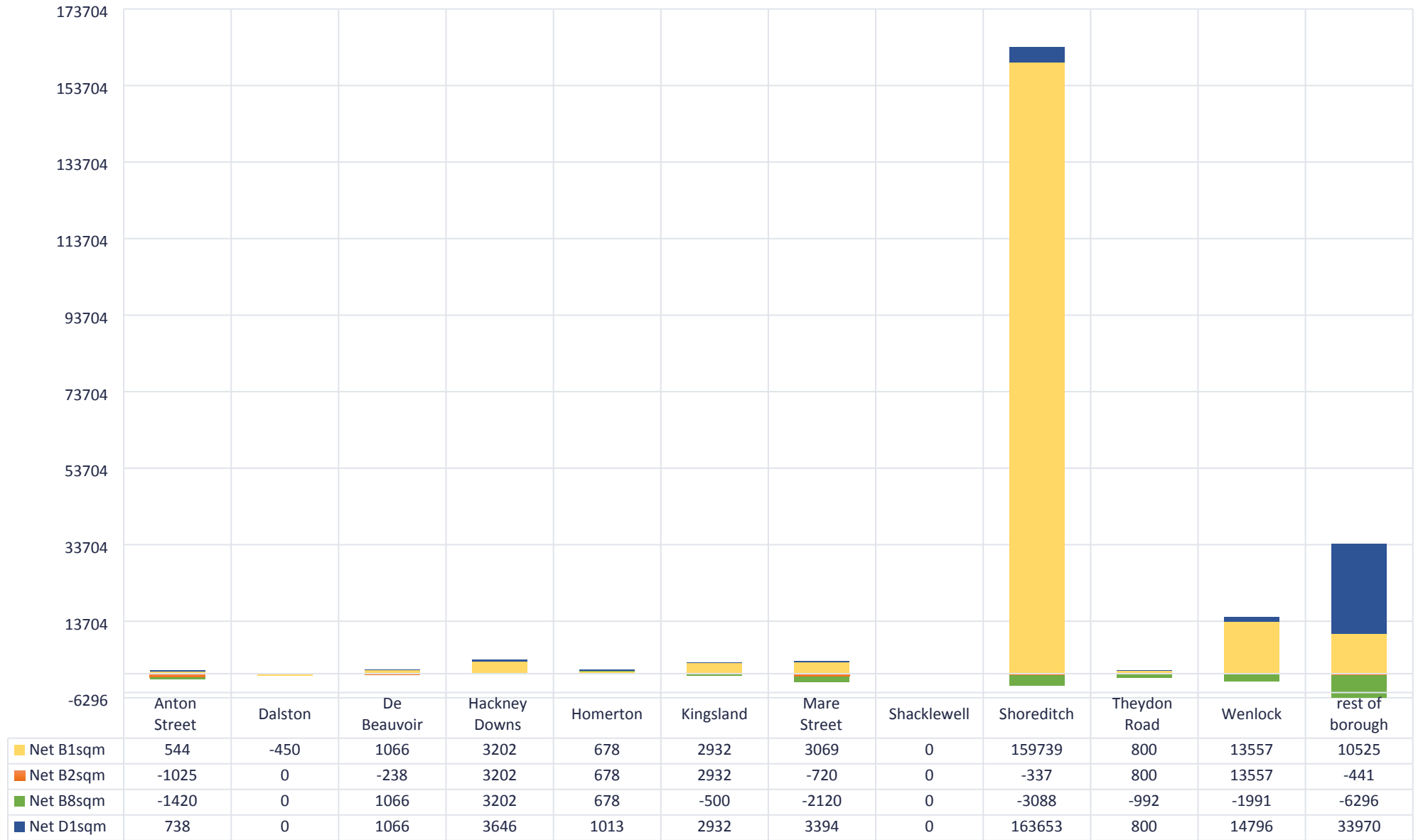


Figure 6.4: Employment pipeline, 2016/17

- 6.9 As well as monitoring the completion of developments, it is possible to gain insight into planning performance by looking at employment floorspace which is either under construction or permitted at present. As of 2016-17 there is approximately 195,000 sqm net of Employment Floorspace in the pipeline, of which over 80% is located in the Shoreditch PEA, dominating other PEAs and indicative of the high demand in the south of the borough, and indicative that Policy 3 of the Core Strategy has been very effective. Furthermore, more than 90% of this demand is for B1 floorspace. The majority of PEAs record a net gain, as does the rest of the borough, which indicates policies are having a positive impact in comparison to trends.
- 6.10 Overall there is a mixture of losses and gains in the pipeline, with B1 space dominating gains (185,137sqm) followed by D1 (6,451 sqm), with a clear transfer from B2 (-2,320sqm) and B8 (-8,029sqm) within PEAs. Outside of the PEAS, the pipeline indicates a gain in B1(10,525sqm) and D1 (23,445sqm) and a loss of B2 (-441sqm) and B8 (-5,855sqm), a similar trend to the PEAs. The gain in D1 is mostly in the form of Educational uses. Planning policy is clearly affecting PEAs unequally, but overall the pipeline presents a more positive view of going forward. The new Local Plan proposes a more refined approach to the Council's employment policy has been taken in the draft Hackney Local Plan (LP33). The borough's designations have been redefined to comprise of Priority Office Areas (POAs), Priority Industrial Areas (PIAs) and Locally Significant Industrial Sites (LSIS). Within POAs, employment led development is required (with an emphasis on office delivery). Within PIAs, support mixed use development which safeguards industrial land/ floorspace but enables other uses to be introduced through redevelopment/ intensification.
- 6.11 Overall the pipeline shows a healthy level of new developments, which reflect well on planning policies in the Core Strategy and DMLP. The form of employment taken reflects present trends in generally being large floorplates within mixed use schemes. Notable schemes in the pipeline include:
- Land bound by Plough Yard, Curtain Road (2015/3453) within Shoreditch PEA. A gain of 33,000sqm of new office floorspace as well as 412 residential units.
 - Norton Folgate (2016/2044), within the Shoreditch PEA is the largest development on record, providing 80,000sqm of new office space as well as residential units in a 50 storey tower.

Net change in B2/B8 in Hackney’s Locally Significant Industrial Sites and Strategic Industrial Locations

6.12 Hackney has a very small amount of land in protected industrial designations, known and LSIS. In 2015, there was no change to these areas. This demonstrates that the policies within the Local Plan have been effective in protecting industrial land within LSIS designated land.

Business in the Borough

6.13 Planning policy seeks to maintain and expand the supply of employment floorspace in Hackney through managing the release and provision of floorspace in new developments. The ultimate result is to enable businesses to grow and succeed, therefore employing local people and contributing to the boroughs economy. A measure of this success is the number of businesses in Hackney and how this has grown or shrunk year on year, as shown in figure 6.5 and the accompanying table, below.

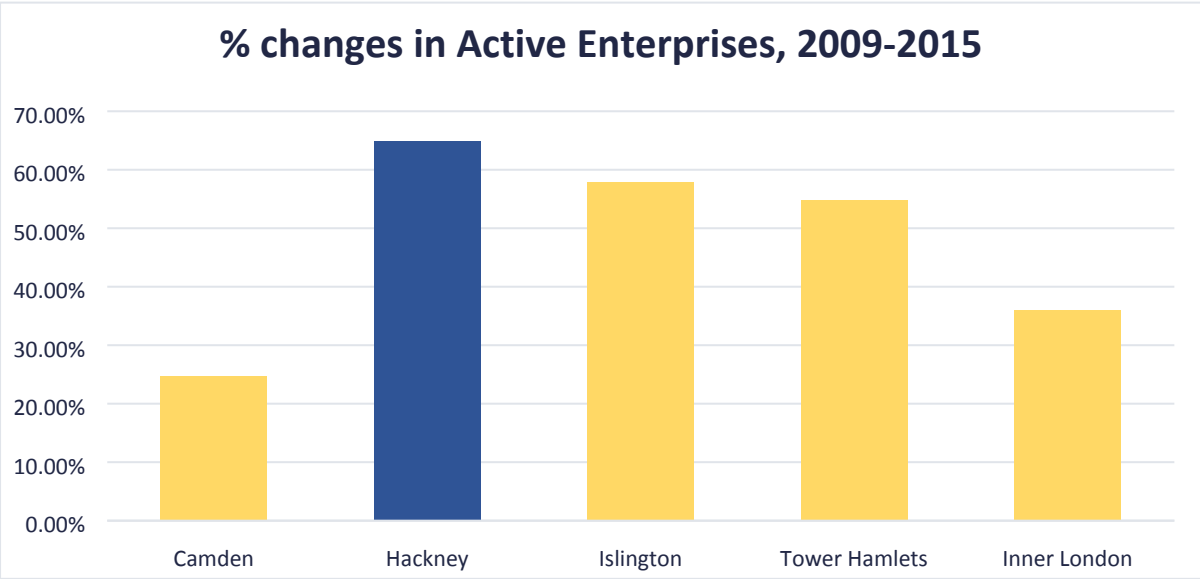


Figure 6.5: Active Enterprises, 2009-14

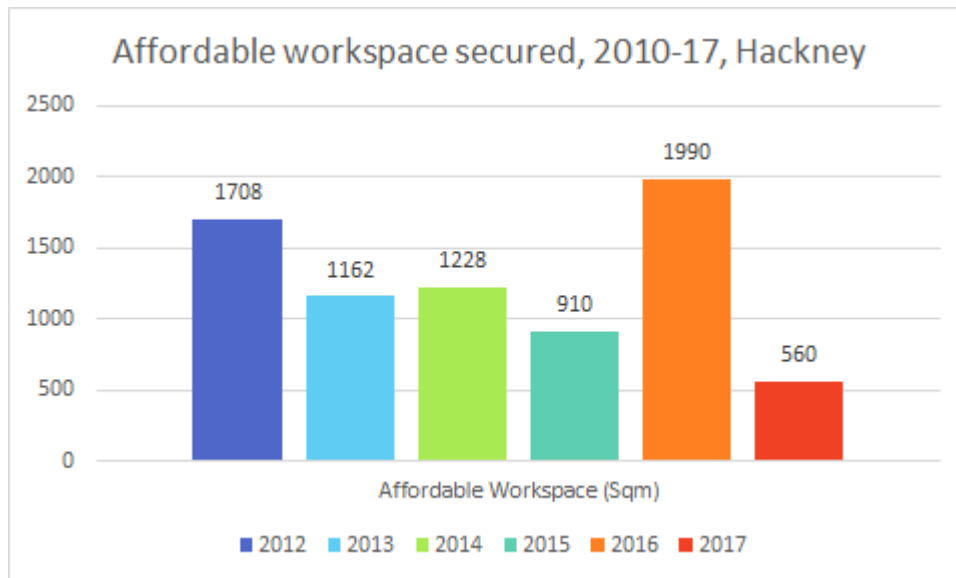
Area	2009	2010	2011	2012	2013	2014	2015
Camden	25,175	25,380	25,930	26,460	27,530	29,020	31,385
Hackney	11,230	11,700	12,150	12,980	14,180	16,095	18,510
Islington	14,010	14,095	14,395	15,310	16,850	18,710	22,110
Tower Hamlets	11,880	12,400	12,850	13,740	15,030	16,545	18,390
Inner London	211,36	216,27	220,38	230,73	245,61	265,23	287,58
	5	5	5	0	5	0	5

Table 6.1: Active Enterprises, Tables, 2009-15

- 6.14 Figure 6.5 shows that Hackney has been highly successful in growing the number of new businesses in the borough, with growth in the number, and importantly the rate of new enterprises – between 2009-15 Hackney gained an additional 7,280 active enterprises, or a growth of 164% over the period, almost double the Inner London average.
- 6.15 There is a disconnection between the net loss of employment floorspace indicated by planning applications, but growing business base of the borough. This suggests either new businesses are using floorspace in new, less traditional ways, or that some businesses are not making use of traditional employment space for operation. It is also possible that the impacts of these conflicting trends have not begun to effect each other yet. An Employment Land Study has been produced to inform the new Local Plan. This analyses trends in employment space and helps our understanding of the type of floorspace in use by new businesses, and how best this can be provided through an effective policy response. The findings indicate that there is still a significant need for new employment floorspace (minimum 117,000sqm for the plan period) and also suggest a need to protect vital industrial land in the borough.

Affordable Workspace Provision

6.16 DMLP policy 16 builds on the Core Strategy's objective of making Hackney one of London's most competitive and affordable business destinations by seeking that new developments in major commercial and mixed use development schemes provide 10% affordable workspace. While this policy is fairly new, there is already a pipeline of



schemes which are tied, via s106, into providing the workspace.

Figure 6.6: Affordable Workspace, 2010-15 Hackney

6.17 As figure 6.6 shows, 7559sqm of affordable workspace has been secured since 2010. The highest yearly total was in 2016, where 1990sqm was secured and reflects the adoption of the DMLP which strengthens the provision through policy DM16. Overall

this shows the policy to be working effective to delivery some new affordable workspace. There is also significant pipeline for new employment floorspace therefore it is likely that the amount of affordable floorspace provision in the borough will continue to increase.

New Hotel Rooms

- 6.18 Core strategy policy 17 acknowledges that Hotels (Class C1) form an important part of the supply of employment developments in the borough, both contributing to the economy but also more recently facilitating the tourism and entertainment industry in Hackney as well as short-stay for business's clients and collaborators. Current planning policy encourages the provision of Hotels, and there has historically been a strong demand in the Shoreditch Area.

Figure 6.7: Hotel Development , 2015Hackney

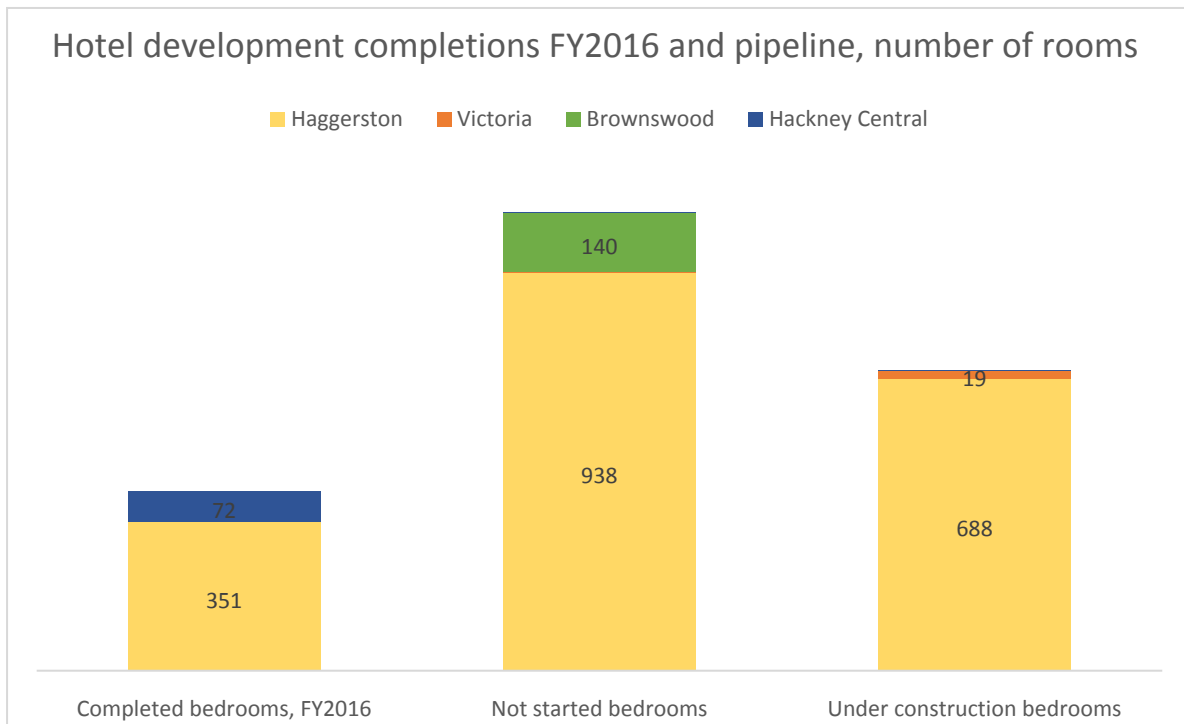


Figure 6.7: hotel completions and pipeline, Hackney

6.19 As figure 6.7 shows (above) there is a healthy pipeline of developments either construction or permitted, totalling 1785 new rooms over 12 new developments. Over 9%, or 1626 of these units are within Haggerston Ward, and are symptomatic of the ‘city fringe’s growth over time and the popularity of Shoreditch as a tourist and business destination. Overall, around 40% of the pipeline is under construction, representing a healthy rate of implementation. As set out in Hackney’s Employment Land Study, the GLA’s forecast of hotel room need for the Borough between 2016 and 2036 is an additional 1,600 rooms. Taking account of hotels under construction and planning permissions the twenty year forecast need has been met at the end of 2016. This evidence has informed the policy approach regarding hotel provision in the new Local Plan.

Analysis

6.20 The Core strategy and DMLP seek to promote and focus employment floorspace into employment designations in the borough, PEAs and LSIS. Despite these strong policy protections, employment floorspace in Hackney’s PEAs has experienced significant **losses in the last 5 years totalling of 6323sqm B1 and 23799sqm B8** respectively, with minor net losses to B2 and significant gains of **22145sqm D1**. Losses have been

concentrated in the Wenlock and Mare Street and Homerton PEAs. However, policies do seem to have slowed the loss for certain types of floorspace, with unprotected areas in the **rest of the borough** recording a **loss of 10,405sqm B1 and 10,027sqm B2**. Overall, across all PEAs in the reporting years there has been a **net gain of 6,926 sqm in 2015/16-2016/17** of employment floorspace, the majority of this being a growth in B1 and D1 floorspace.

- 6.21 However, the situation improves hugely when looking at pipeline developments which indicates **future delivery around 195,000sqm** of new employment space, mainly in the **B1 class**. Eight out of eleven PEAs will see an increase in floorspace, with **Shoreditch seeing a net gain of 160,000 sqm of new B1 floorspace** significantly ahead of other PEAs. Three PEAs will see a minimal loss or no gain in employment floorspace. Overall employment space outside of PEAs and LSIS is likely to shrink. The overall indication is that instead of losing employment floorspace to other uses, and therefore businesses, developers within Hackney appear to be **renewing employment space**, with policy helping to **refocus new floorspace into employment areas**.
- 6.22 Hackney's Employment Land Study suggest a strong need for B1a office (a minimum of 117,000sqm). The findings of this study also stress the need to ensure the retention of an adequate stock of industrial capacity to support a diverse, adaptable and more sustainable economy. In response to this evidence on employment needs, a more refined approach to the Council's employment policy has been taken in the draft Hackney Local Plan (LP33). The borough's designations have been redefined to comprise of Priority Office Areas (POAs), Priority Industrial Areas (PIAs) and Locally Significant Industrial Sites (LSIS). Within POAs, employment led development is required (with an emphasis on office delivery). Within PIAs, support mixed use development which safeguards industrial land/ floorspace but enables other uses to be introduced through redevelopment/ intensification.
- 6.23 The effectiveness of planning policy in developing Hackney into a competitive and affordable business destination is reflected in continuous increases in the number of **active enterprises within Hackney**, which has **grown by 64% since 2009/10** faster than neighbouring boroughs and almost **twice the inner London average**. However, Hackney still lags behind in the gross number of enterprises, and policy must ensure that as demand increases supply of workspace remains available, and affordable. On this, the council has been successful in securing affordable workspace (that is, floorspace discounted 20% for 10 years) with 7558sqm secured since 2010. This shows policy DM16 to be effective in at least offsetting some of the losses across the borough identified above.

- 6.24 Finally, the completion of **428 hotel bedrooms** in the reporting years as well as the pipeline for **1785 hotel bedrooms** in the south of the borough is indicative of the high levels of popularity of this area with tourists, and increasing businesses, and builds on wider changes to the way that people work, which are becoming increasingly flexible.
- 6.25 Future policy will need to consider how it can protect the agglomerative qualities of employment areas while allowing for increasing provisions of residential uses. In addition to this, research by the GLA indicates the ratio of residential to industrial floorspace values is 8.3:1, the fifth highest in London, indicating there may be a need to significantly strengthen policy in coming years to prevent the loss of businesses and employment.

7. Retail and Town Centres

- 7.1 Protecting Hackney's Town Centres is key to the continued growth and prosperity of the borough, especially in terms of supporting local amenities. The core objectives aim to make Hackneys town centre hierarchy most inclusive and vibrant places in London by supporting the further development as civic and cultural hubs which are well connected centre and have strong commercial retail and cultural industries. Core Strategy policy 13 sets out the overarching strategy, which focuses on developing Dalston and Hackney Town centres, while DMLP policy 7 directs all new A1 floorspace to town centres, supported by DM9 which prevents changes of use to A1 frontages in Town Centres that would result in the proportion of units falling below 60%. While retail is at the heart of town centre uses, other services, such as banks, employment agencies and law firms, as well as restaurants and cafes are also important.
- 7.2 In addition to these daily uses, there is also a need to plan for the night-time economy, with DMLP policy 11 directing A3, A4 and A5 uses to town centres to support this.
- 7.3 Hackney has a hierarchy of town centres, defined by the London Plan. These run from a London level major centre (Dalston) to smaller district centres (Hackney Central and Stoke Newington) and finally some 14 local centres (for example, Broadway Market and Wick Road). The centres designation reflects their usage, i.e. Dalston supports significant big-brand retailers, while Upper Clapton road has some business use but is largely groceries and day-to-day amenities. The core strategy and DMLP support A1 as the predominant land use at ground floor level in town centres, defining a primary and secondary frontage in which proportions of A1 must remain over 60%, and defining the area of town centres through the town centre boundary.
- 7.4 The most effective way to understand policy effectiveness is to look at changes to the amount of these uses within town centres and the size and activity of frontages in town centres. Figure 7.1, below shows the net changes in A1 across the borough, shows the major town centres, followed by 7.2 showing local centres.

Net Change (m2) of type (A1, A2, A3) and proportion at ground floor level in designated town centres

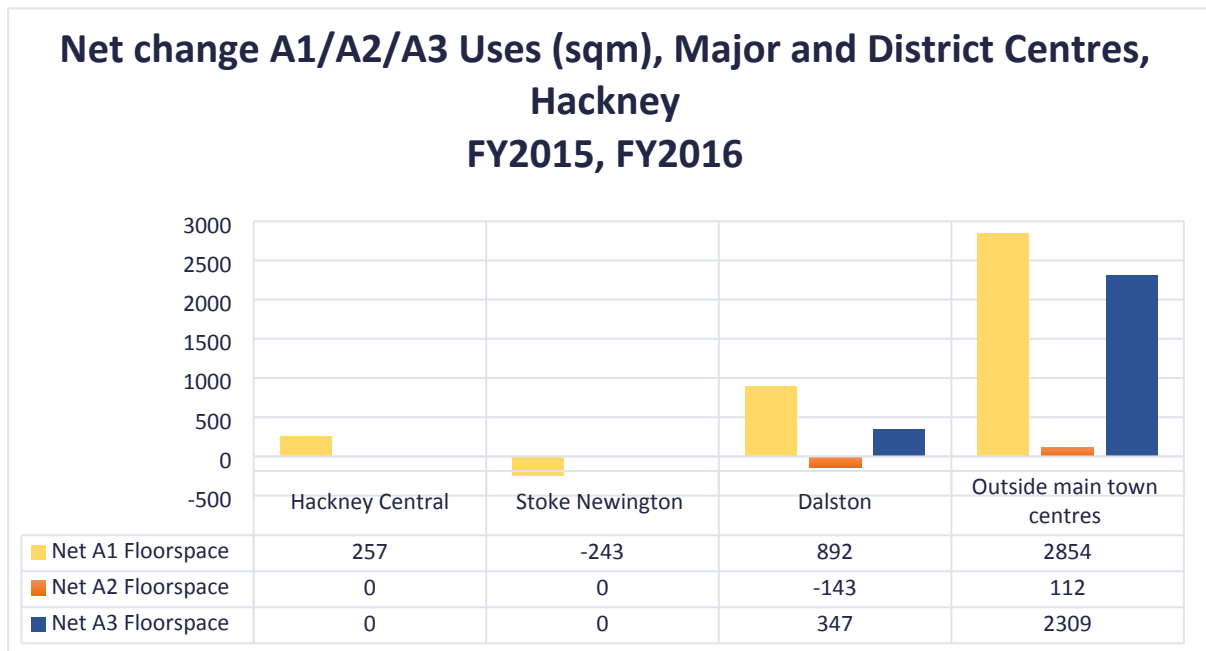


Figure 7.1 Net Change A1/A2/A3 Uses, Major and District Centres, FY2015-FY2016

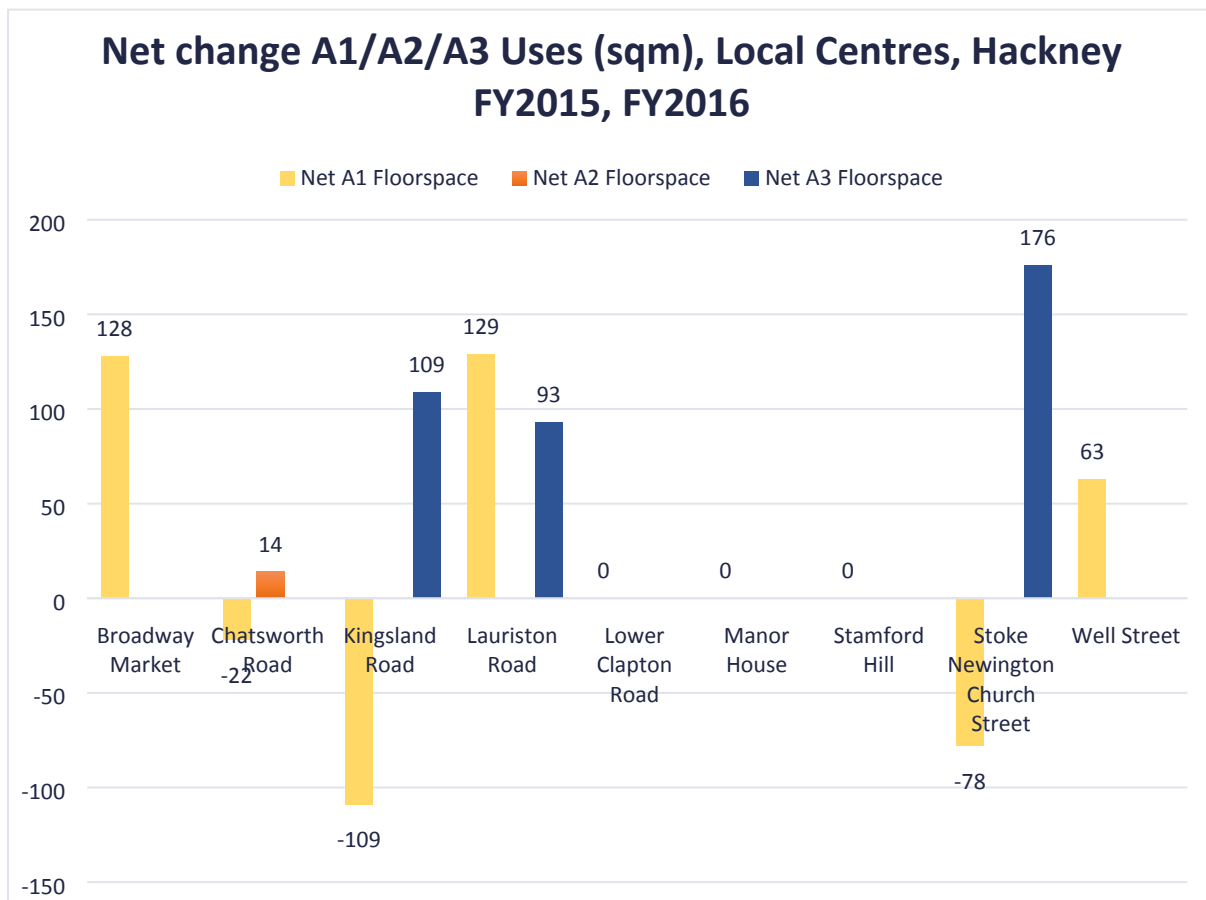


Figure 7.2 Net Change A1/A2/A3 Uses, Local Centres, FY2015-FY2016

7.5 In the reporting years, there has been a net gain of A1 in the district centre of Hackney Central (257sqm) and a net loss in Stoke Newington (-243sqm), with a larger increase in the Major centre of Dalston (892sqm). Local Centres have seen an overall increase of 111sqm, with Broadway Market and Lauriston Road gaining the greatest. Kingsland Road, Stoke Newington Church Street and Chatsworth Road showed a loss of A1 floorspace. However, as figure 7.1 shows, the real changes have been significant increases outside of town centres where there have been increases in A1, A2 and A3 floorspace, with 2854sqm of retail provided.

7.6 The large amount of town centre uses outside centres raises two possibilities – either policies have been applied ineffectively, or the areas designated by these policies do not reflect the ‘true’ town centres of Hackney. Employment policies, Core Strategy 17 and DMLP 17 allow for A classes to be included in employment-led development in PEAS, aimed at ensuring active frontages. As figure 7.3 shows, below this policy has worked to introduce these types of uses into PEAs, with over 4262 of A1 completed in FY2015 and FY2016.

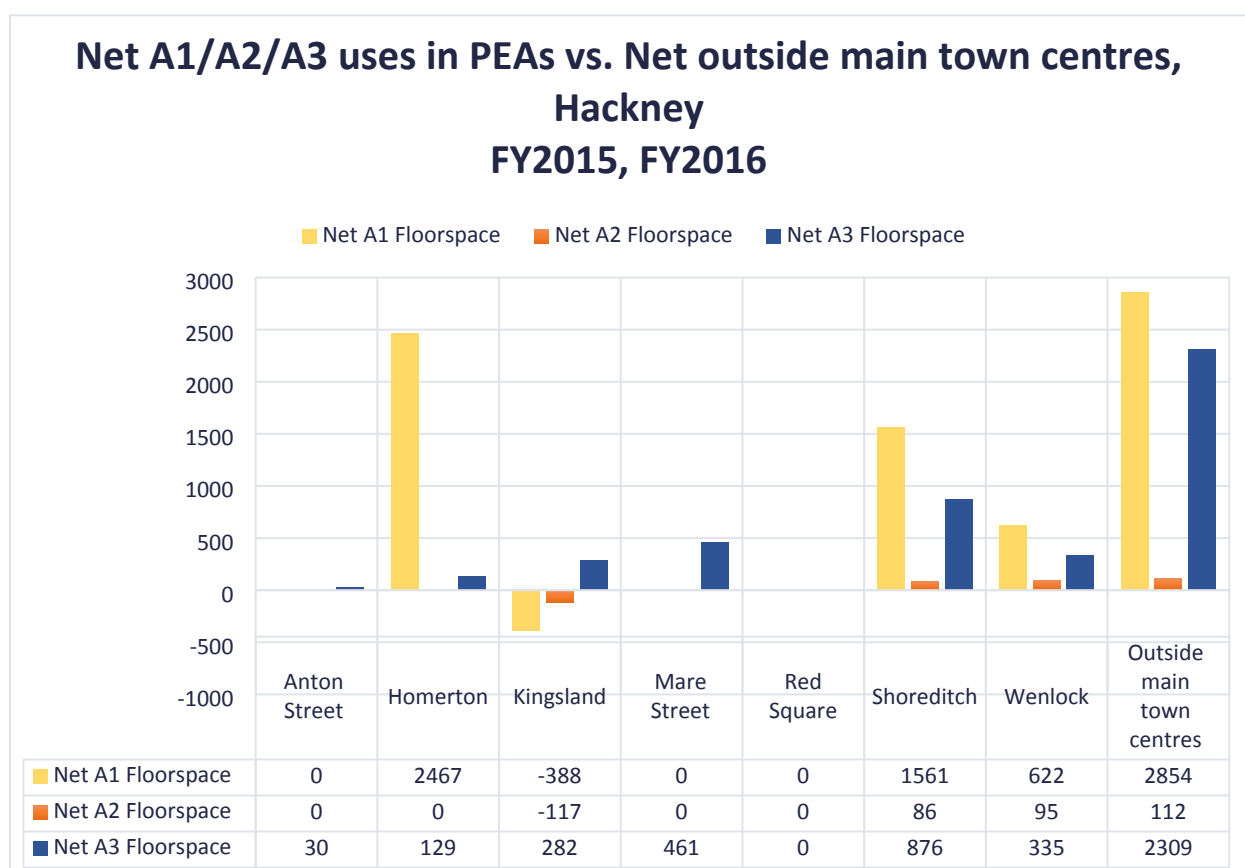


Figure 7.3 Net Change A1/A2/A3 Uses, PEAs vs. Not in Town centres 2015

**It should be noted due to net losses from elements not in PEAs or Town centres affecting the Rest of Borough net figure it shows less than in PEAS.*

While this offers an effective explanation for the large amount of ‘A’ uses outside town centres, it also suggests that there may new town centres emerging due to changing patterns of work and development. The relative positions and interplay of Employment and Town Centre policy will be considered going forward through the new Local Plan 2033.

- 7.7 In addition to the impact of employment policies, DM11, covering the nigh-time economy directs increases in A3 uses, as well as A4 and A5 uses to Town Centres, which may account for some the increases in A3 floorspace.
- 7.8 The results for the reporting years mirror the trends over the last 5 years (Shown below, figures 7.4 and 7.5) which show significant increases in A1, A2 and A3 uses outside town centres. Within town centres, there is a clear trend for loss of A1 in Hackney Central and Stoke Newington High Street and gains in A1 floorspace in Dalston. There are gains in A2/A3 space (see for example Hackney Central and Kingsland Road and Stoke Newington Church Street).

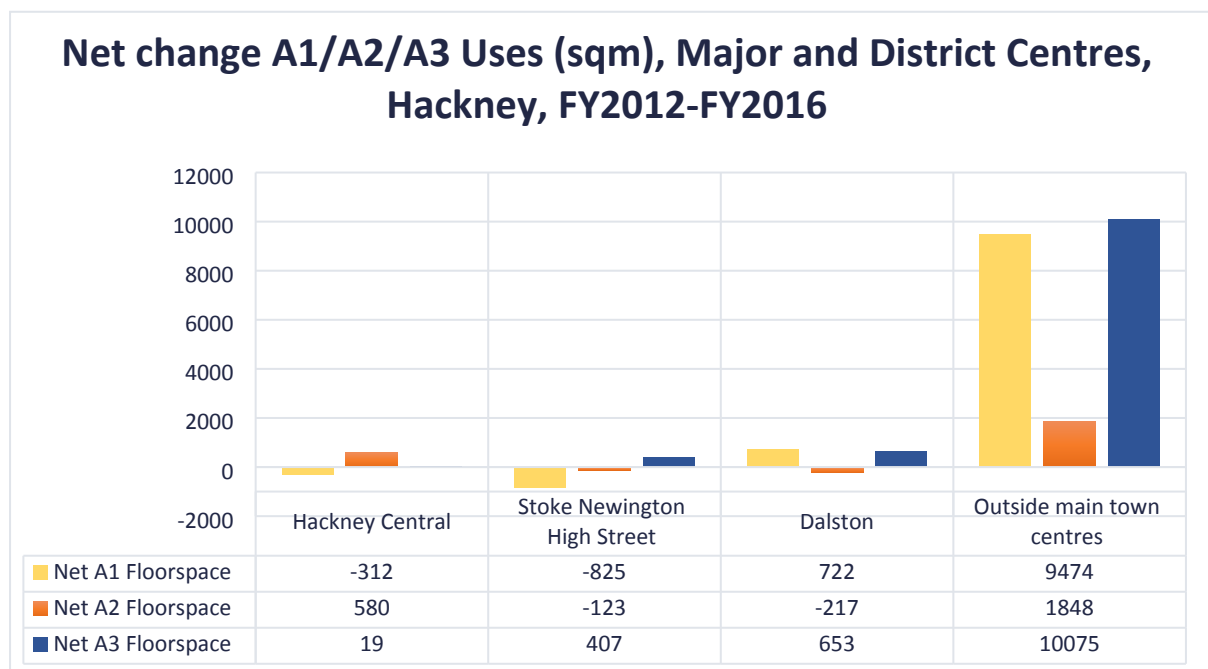


Figure 7.4 Net Change A1/A2/A3 Uses, Major and District Centres FY2012-FY2016

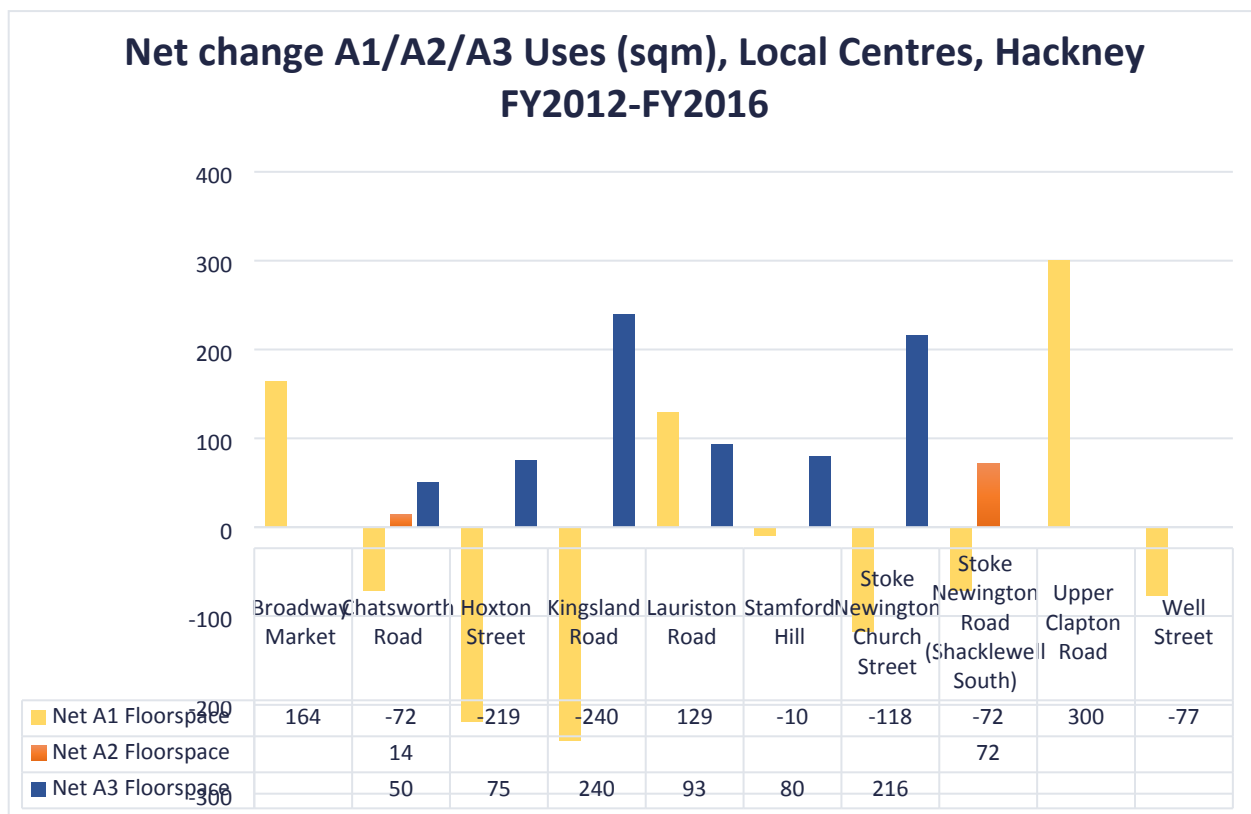


Figure 7.5 Net Change A1/A2/A3 Uses, Local Centres, FY2012-2016

7.9 Changes in Local Centres (shown in figure 7.5, above) vary by centre, with provision of A1 floorspace in Broadway Market increasing by 164sqm, Lauriston Road by 129sqm and Upper Clapton Road by 300sqm. A3 provision increased in Stoke Newington Church Street by 216sqm and Kingsland Road by 240sqm. Kingsland Road shows a net loss of retail and services towards A3, which is likely to be related to its position as a key night-time activity area in the borough. Furthermore, the impacts of night-time economy policies could also be accountable for increases in A3 permissions within town centres.

Town Centre Pipeline

7.10 The town centre pipeline looks at planning applications for A1, A2 and A3 uses that have been permitted and are under construction, and are shown in figure 7.6, below. The pipeline shows a positive position for the major and district town centres with Dalston expected to gain an addition 2191sqm of floorspace, Stoke Newington to gain 1442 and Hackney Central to gain 313. The majority of growth in these activities will continue be focused outside town centres, with an overall growth in all use classes of 37,777sqm, of which over half, or 21,691sqm is A1 retail floorspace. This outruns the combined changes within designated centres. As previously stated, this indicates a need to consider the interoperation of employment and town centre policies to ensure the objectives set out in core strategy of focusing these uses in town centres are attained –

this may include consideration of re-designating town centres to consider new frontages as well as considering the designation of new town centres. The new Local Plan 2033 will consider when preparing new policies.

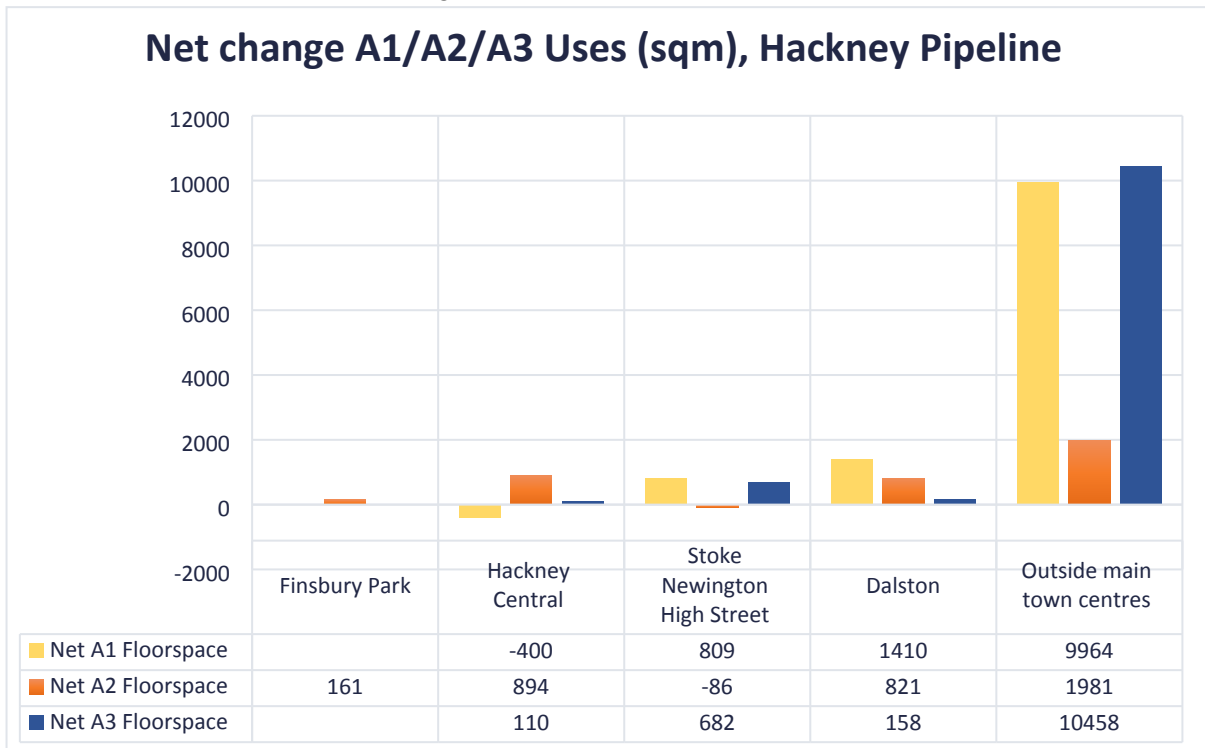


Figure 7.6 Net Change A1/A2/A3 Uses, Major and District Centres Hackney, Pipeline

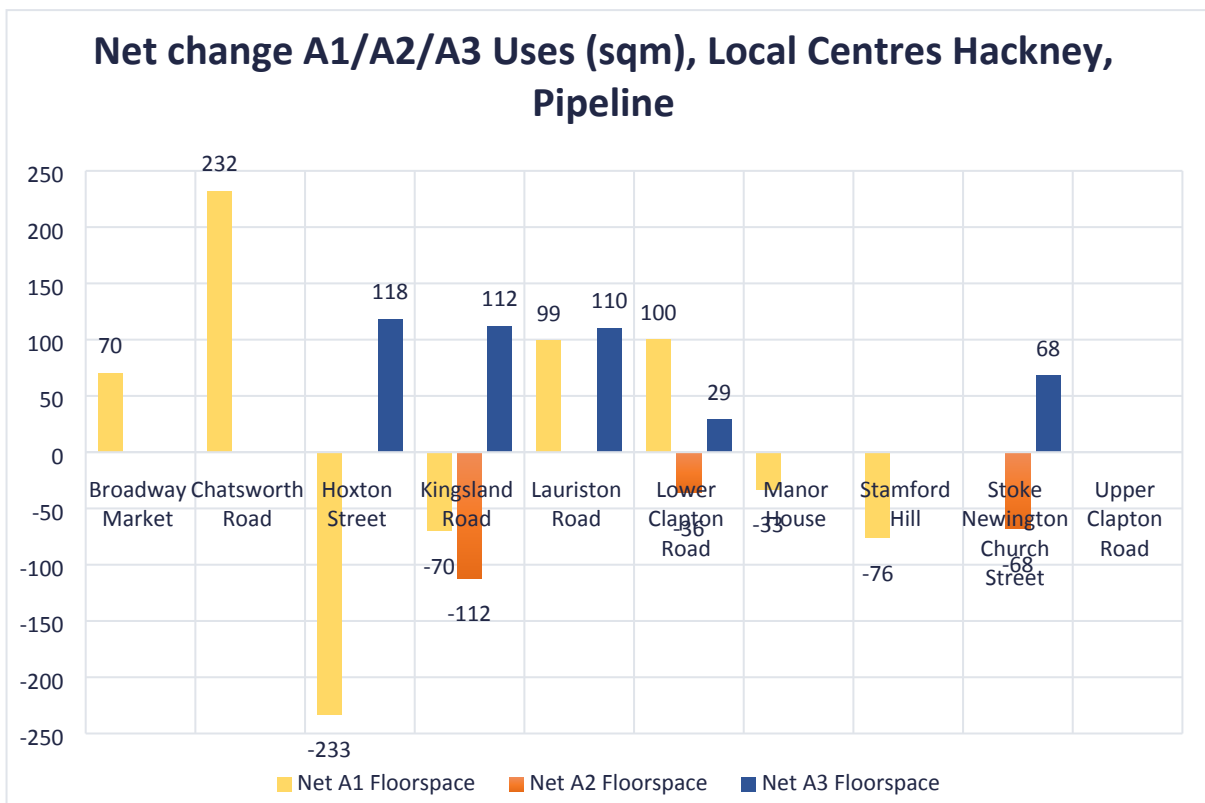


Figure 7.7 Net Change A1/A2/A3 Uses, Local Centres Hackney, Pipeline

7.11 Changes in Local Centres (shown in figure 7.7, previous page) are also positive, with A1 provision in Chatsworth Road increasing by 232sqm, Lauriston Road by 99sqm and Lower Clapton Road by 100sqm. Hoxton Street shows the largest loss of 233sqm of A1 floorspace, but a gain of 118sqm of A3 floorspace. Similarly, Kingsland Road shows a net loss of retail and services towards A3, which is likely to be related to its position as a key night-time activity area in the borough. Furthermore, the impacts of night-time economy policies could also be accountable for increases in A3 permissions within town centres.

Proportion and Vacancy Rates in Town Centres

7.12 While overall trends are useful to analyse overall policy implementation, the town centre policy is engaged through the proportion of units in frontages as opposed to cumulative change within town centres. A snapshot of the proportion of ground floor units in A1 use in the Borough’s Major, District and Local Centres is shown below. The DMLP requires that frontages maintain a minimum proportion of A1 uses (60% in primary and 50% in secondary), with the rest being acceptable town centres uses. This is to help maintain footfall and activity and is key to town centres as a whole remaining viable. These studies are undertaken periodically by the Council, most recently in 2017:

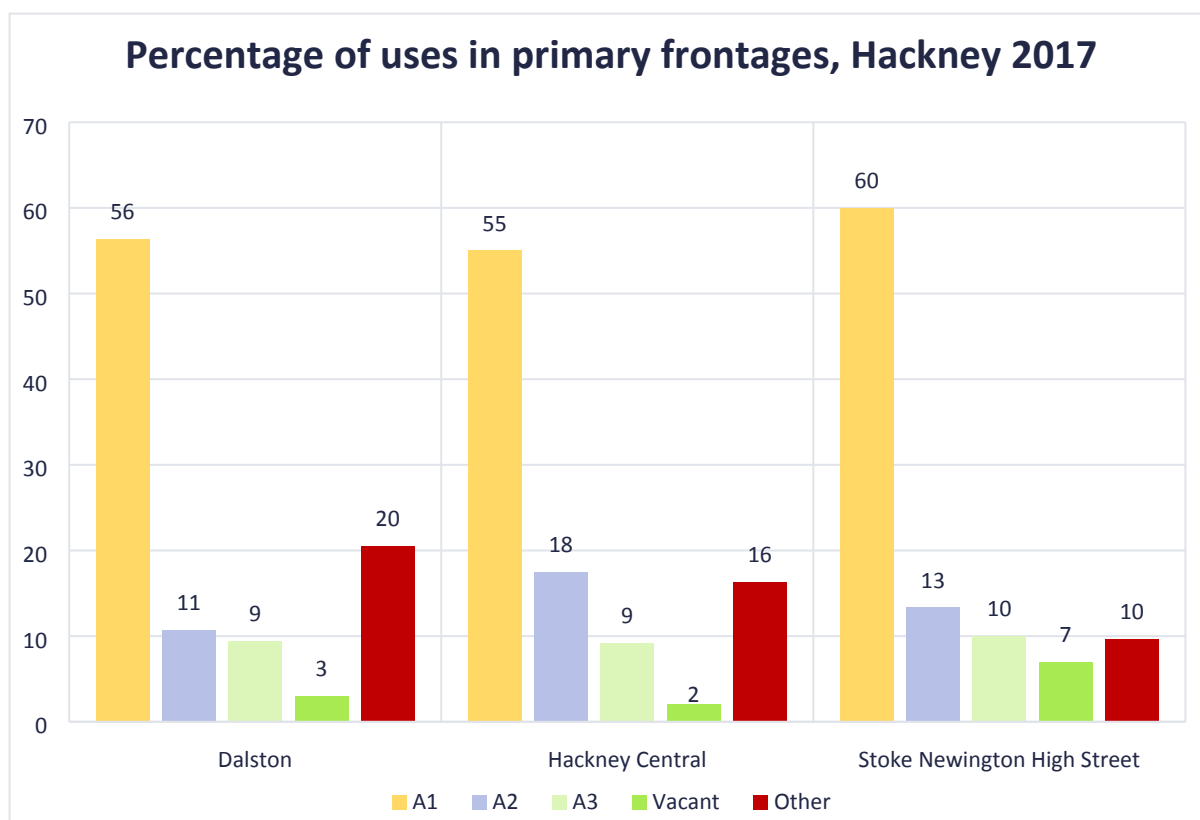


Figure 7.8 Percentages of Uses in Primary frontages 2017

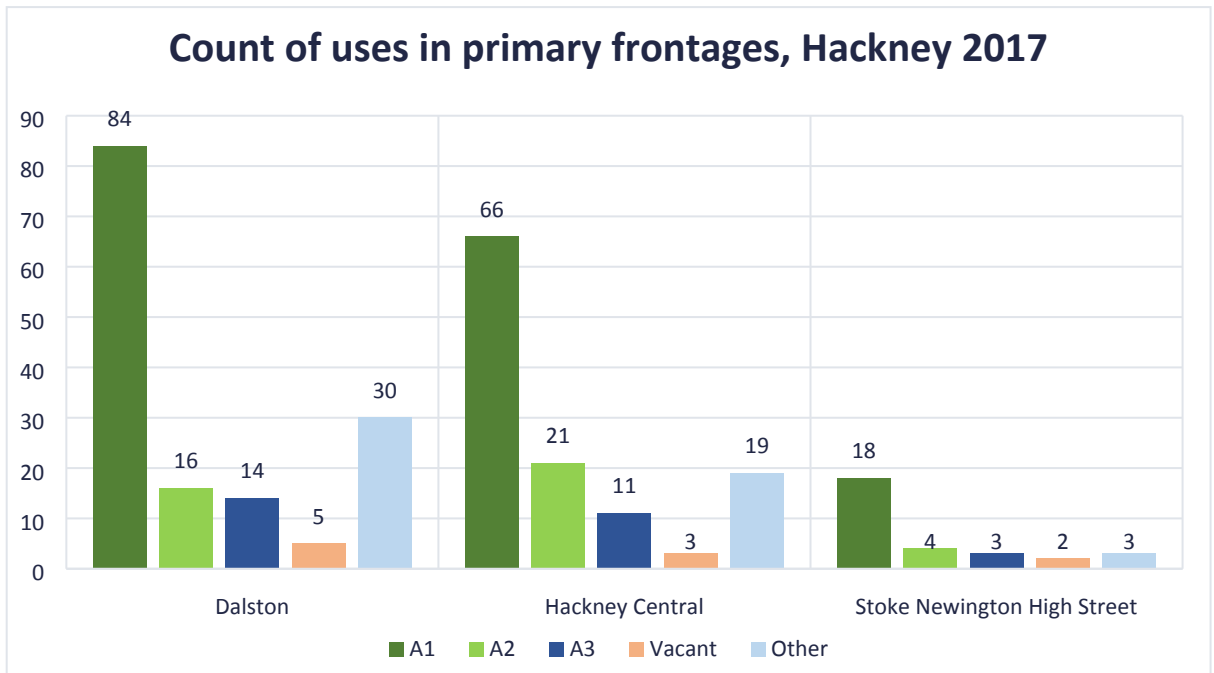


Figure 7.9 Count of Uses in Primary frontages 2017

7.13 All primary frontages in the borough meet or are close to meeting the aims of policy, sitting at around 60%. In addition to this, all have a good additional mix of A2, and A3 units, and in general very low vacancy levels; this is better demonstrated by figure 7.9.

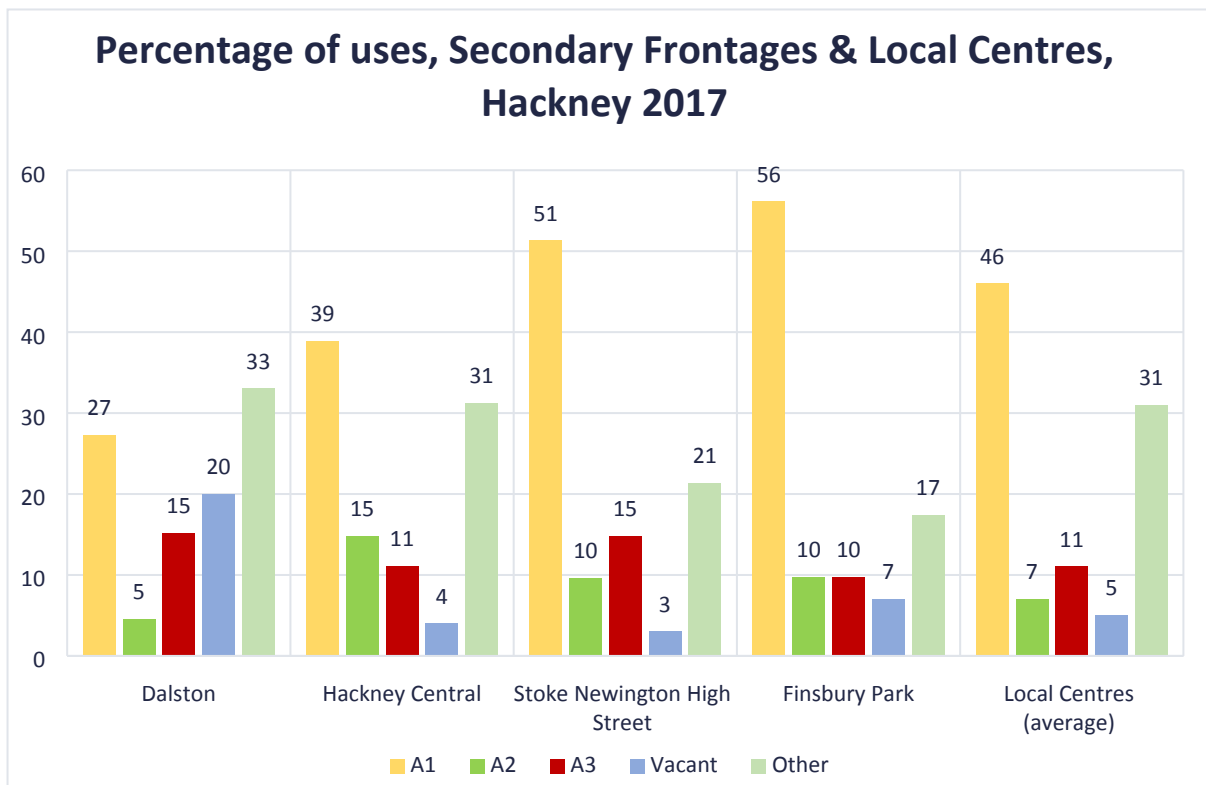


Table 7.10 Percentages of Uses in Secondary frontages 2017

- 7.14 However, the results for Secondary frontages were less positive, especially for Hackney Central and Dalston, which is a major centre and should perform better, recording just 27% of units in A1 use (23% off minimum) and 20% vacant units, the highest proportion across all town centres. Hackney Central, Dalston and the Local Centres (on average) have a very large proportion of units in different uses. Stoke Newington High Street achieved a proportion of 51% of units in A1 use.
- 7.15 By contrast Local Centres, Stoke Newington High Street and Finsbury Park, (shared with the boroughs of Islington and Haringey), fare well, all exceeding the minimum, except for the Local Centres (average) which comes close at 46%, and showing low vacancy rates, which is impressive considering the wide range of sizes - Wick road contains 17 units, while Stamford Hill contains six times as many units at 122 - and the broad distribution of locations of town centres across the borough.
- 7.16 Overall, town centre policies work effectively to secure high proportions of town centre uses. Policies seem to work especially well in smaller units, with greater issues within the major town centre of Dalston which may threaten its ranking within the London Plan, and Hackney Central. Core Strategy 1 encourages significant economic growth in both these areas, which also benefit from AAPs, and the higher proportion of non-retail in these statistics over time as less effective or unattractive stock is renewed and/or footfall increases with new developments. The council has, up to 2016 been limited in its ability to control changes of use between some classes, (for example, A2 to A3) through permitted development rights however this has changed with the implementation of Article 4 Directions (see Chapter 2).

Entertainment and night time economy (use classes A4 and A5)

- 7.17 Core strategy policy 11 recognises the contribution of the Night-Time economy to the borough and aims for a managed expansion of uses, specifically in Hackney Central, Stoke Newington, Dalston, South Shoreditch and Broadway Market. DMLP policy 11 sets out these uses as restaurants and cafés (A3), drinking establishments (A4) takeaways (A5) and assembly and leisure (D2).
- 7.18 As is shown in figures 7.1-7.4, A3 uses have increased across the borough, but increases have been limited within the areas identified by core strategy policy 11. Considering A3 are not specific to the night-time economy (in the sense pubs or nightclubs and takeaways are) it is difficult to draw a clear conclusion about the policies effectiveness in recent years. However, the trend over the last 5 years indicates that Dalston has gained a total of 653sqm, and Stoke Newington a total of 407sqm of A3 floorspace, indicating that the policy is having a positive effect. However those same

figures also show a total of 10075sqm of A3 has come forward outside of town centres. The night time economy policy has a particular focus on ensuring that new developments do not have an effect on residential amenity, and therefore this policy may need to be reviewed to ensure it is working effectively to counter new night time economy uses are appropriate. However, it is beyond the scope of the AMR at this time to assess the licensed hours of new A3 units which make up the development pipeline.

7.19 A4 uses are at the core of the night-time economy forming the central attraction, alongside nightclubs (classed at Sui-generis). Traditionally, A4 use classes were independent bars and pubs, but increasingly they form part of mixed use schemes or flexible uses. This makes their monitoring challenging. There have been a comparatively low number of applications involving A4 uses, with the LDD recording a total of 78 applications completed in the last five years or within the pipeline. The A4 floorspace changes as a result of these are shown below in figure 7.10

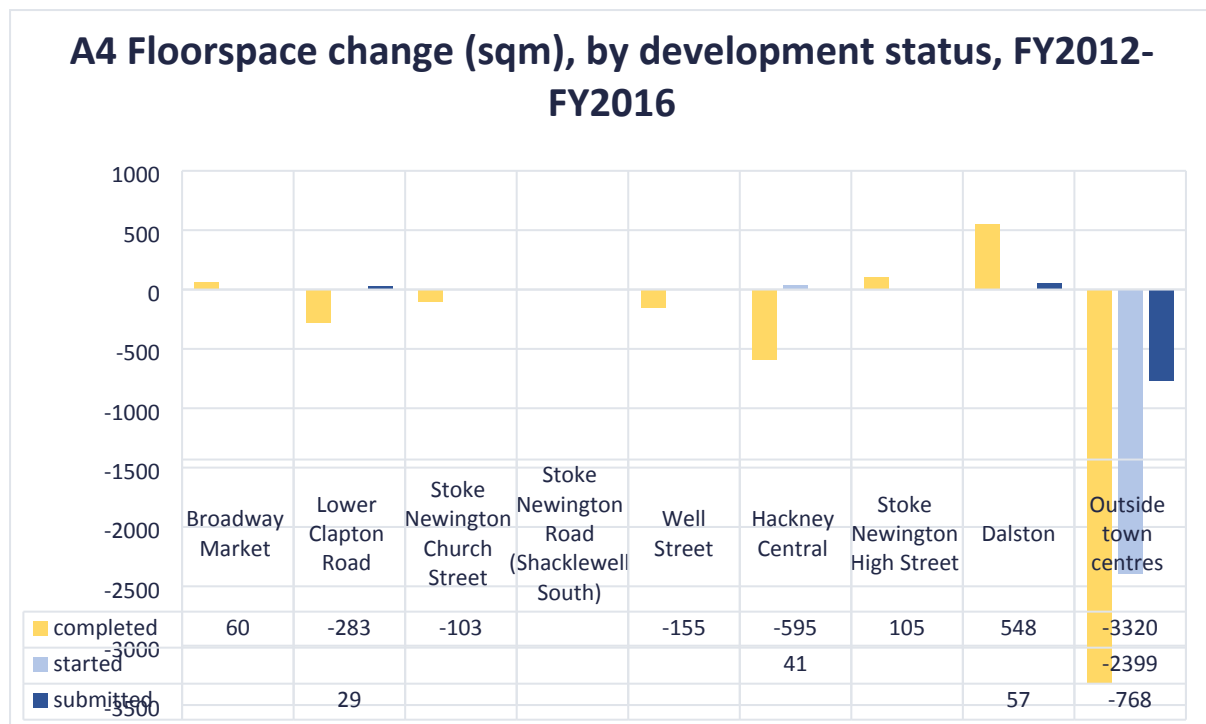


Figure 7.10 Changes to A4 floorspace, FY2012-FY2016

7.20 Figure 7.10 shows a loss of A4 across the borough, and with significant losses within Hackney Central (two developments lost totalling 595sqm), although there was a net gain in Dalston of 548sqm from eight developments. Local centres also registered losses. However, as with other elements of town centres policy, the majority of changes to A4 floorspace happened outside town centre designations. A total of 3,320sqm of A4 floorspace has been lost outside town centres. Within the pipeline, the same trend is

seen with a loss of A4 floorspace within the town centres (on average) and an even greater loss outside of town centres.

7.21 An important external factor effecting the night time economy are the Special Policy Areas (SPAs) established by Hackney Council. These areas, in Shoreditch² and Dalston³ strictly limit the grant of licences for late night opening of bars and restaurants. They have a double impact of both reducing the provision of these uses within Dalston Town Centre and Shoreditch (which is not designated as a town centre) and overall provision in the borough. While SPAs are compatible with planning policy which, by conditions on an application can limit opening hours to maintain neighbour’s amenity and impact on town centres, greater consideration may need to be given to the future strategy of directing these uses into town centres or areas covered by SPAs.

7.22 Overall, all new A4 floorspace has been permitted outside of existing town centres, much of which is in Shoreditch and the Central Activities Zone, and largely based around flexible consents and therefore its usage uncertain. The new Local Plan 2033 and Shoreditch AAP will seek to manage this growth effectively. Considering trends, it may be that A4 uses may be more effectively managed through licensing policy (such as special protection areas) so as to achieve the objectives of promotion while protect amenity.

7.23 A5 uses are at a similarly low level to A4 uses, with a limited set of completions and pipeline, which are outlined below in figure 7.11. Planning for A5 uses promotes them within town centres.

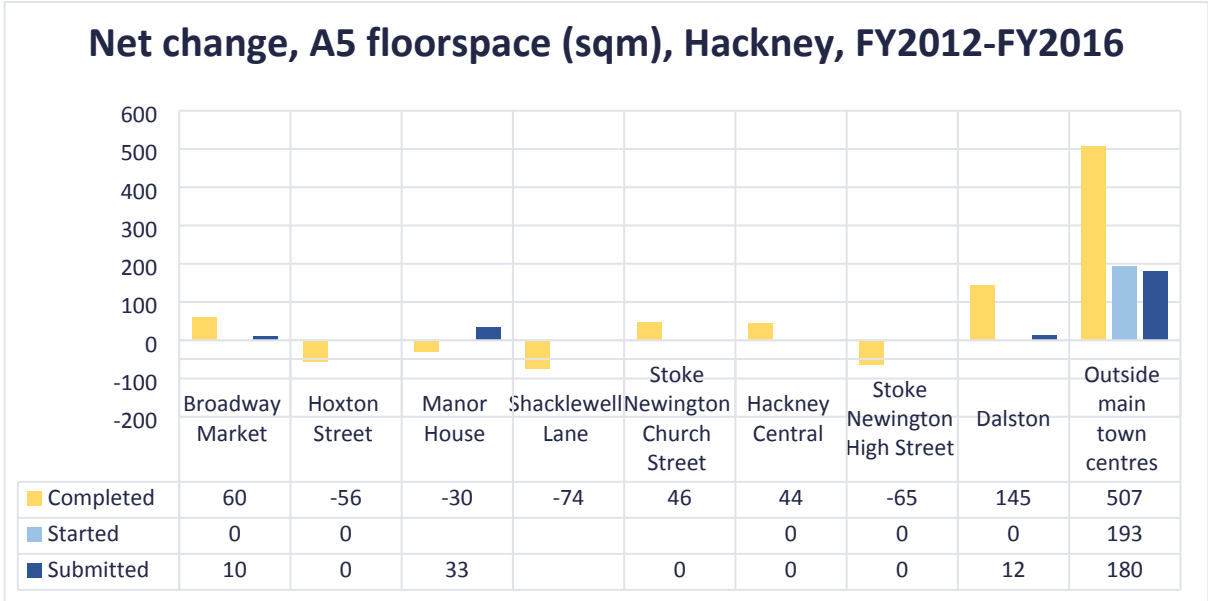


Figure 7.11 Changes to A5 floorspace, FY2012-FY2016

² <http://www.hackney.gov.uk/media/2224/Shoreditch-special-policy-area-map/pdf/Shoreditch-Special-Policy-Area-Map>
³ <http://mginternet.hackney.gov.uk/documents/s35028/Dalston%20SPA%20Report%20to%20Council%20290114.pdf>

7.24 As figure 7.11 shows, there has been a net increase in A5 floorspace in Dalston, with the provision of 4 new units in total, and Hackney Central gained a single unit. Again, as with other town centre uses, although to a lesser degree, changes have happened outside of town centres, where 507sqm of A5 floorspace has been gained. Overall there is 385sqm of additional A5 floorspace in the pipeline.

Analysis

- 7.25 Overall, provision of retail floorspace in Hackney's town centres has been mixed in the reporting years but overall there has been a net loss of A1 in town centres in recent years. Hackney Central has gained 257sqm, Stoke Newington lost 243sqm, and 892sqm gained in Dalston in the reporting years. **Local Centres have seen an overall increase of 111sqm, with Broadway Market and Lauriston Road gaining the greatest in the reporting years.** Over the last 5 years there was an overall net loss of A1 of 415sqm in major and district town centres, with an increase of 722sqm in Dalston and losses in the others. **The pipeline for town centres going forward is more positive with Dalston expected to gain an additional 1410sqm of retail floorspace and Stoke Newington to gain 809, however a loss of 400sqm is expected in Hackney Central.** It is less positive within Local Centres, with only a slight gain in A1 floorspace expected and over 200sqm of A2 floorspace expected to be lost. This indicates that the policy appears to have been somewhat ineffective at safeguarding existing retail, in major town centres, more so in Local centres. In contrast in the future it appears to be overturned, and may need to be reviewed in relation to local centres.
- 7.26 It is important to note that outside of town centre designations there has been an increase of 2854sqm of new retail space in the reporting years, as well as increases in A2 and A3 floorspace, with provision increasing by 9474sqm retail outside town centres between FY2012-FY2016, **and this is expected to increase further, with the pipeline showing a delivery of 9964sqm.**
- 7.27 This is likely the result of employment policies supporting employment-led mixed use schemes under core strategy 17 and DMLP 17. While this offers an effective explanation for the large amount of 'A' uses outside town centres, **it also suggests that the interoperation between Employment and Town Centre policy needs to be considered**, especially in light of the changing modes of work going forward which could see town centres and PEAs sharing more characteristics, and the potential for designations to be reviewed.
- 7.28 The key trigger for policy DM9 is a 60% of primary (50% of secondary) frontages in use for A1 uses. Stoke Newington High Street performs well, sitting at **60%, and with very low vacancy levels. Dalston and Hackney Central on the other hand fall just short with 56% and 55% of the primary frontage in A1 use.** Secondary frontages are less positive - Dalston, which is a major centre recorded 27% of units in A1 use (23% off minimum) and 20% vacant units, the highest proportion in a frontage across all town centres. These performance results, which are similar to the previous 2014 report, may bring into question Dalston's position in the London Plan town centre hierarchy. Finsbury Park performed well, exceeding the minimum and showing low vacancy rates

at 7%, which was an increase of two vacant units only. Local Centres are close to the 50% requirements at 56%. This indicates that **town centre policy has been broadly effective in protecting the provision of A1 uses and therefore maintaining amenity as intended**, even in the face of increasingly liberalised change of use legislated by the government. Hackney is presently working to adopt new exemptions to this right. See chapter 2.

- 7.29 Planning policies for the night time economy have had mixed results over the last five years. Broadly, A3 uses have increased in the centres of Dalston (653sqm), and Stoke Newington High Street (407 sqm). **Over the same period 10075sqm of A3 has come forward outside of town centres.** This provision mirrors paragraph 7.27 in forming part of new mixed-use developments and a similar conclusion can be drawn that it may be prudent to review if these policies are effective and whether new units are having an impact on amenity.
- 7.30 A4 and A5 uses share a low level of activity and are reported on over the last 5 years. **Within A4, there has been a general loss across town centres, although the greatest loss has been outside town centres with a loss of 3320sqm.** This could be due to the adoption of **Special Policy Area (SPA)** in 2015 which limits licences for these uses within Dalston and Shoreditch, and is likely to have prevented developments coming forward in these places. Future local plan policy will further consider the role of night time economy in Hackney. The future outlook does not reflect well on policy, with a projected loss of 3167sqm of A4 floorspace outside of the town centres. **It should be noted the majority is from flexible consents i.e. A1/A3/A3/A4 permitted which will make this increasingly difficult to monitor.** A5 floorspace changes have varied across all centres but significant changes have not been recorded in any particular centre, except outside town centres which have seen an increase of 500sqm.

8. Communities, Culture, Education & Health

- 8.1 The first objective of the Core Strategy is to tackle inequality and contribute to enhancing community cohesion by improving the quality of the borough. One of the most important functions of planning policy is at the strategic level, supporting both the funding and development of new social, educational and health facilities to benefit the community.
- 8.2 Planning Obligations and the Community Infrastructure Levy are mechanisms for deriving planning gain from developments which can then be used to benefit the community.
- 8.3 Hackney sets out its infrastructure need in its Infrastructure Delivery Plan, which is updated in a regular basis. This chapter reports on the amounts of S106 contributions received and agreed during the two financial years of 2015/16 and 2016/17 and also reports on the collection and spend of the community infrastructure levy for these two periods in accordance with government regulations.

Section 106 Planning Obligations in 2015/16

- 8.4 Section 106 are a contract signed between developer and Hackney, with agreed heads of terms and financial amounts. The amounts agreed and received in 2015/16 are set out in table 8.1 below:

	2015/16 Agreed	2015/16 Received
General Heads of Term	£3,374,464	£4,764,006
Affordable Housing	£10,200,000	£440,936
Highways	£875,041	£2,141,829
Total	£14,449,505	£7,346,772

Table 8.1, S106 Contributions received in 2015/16 excluding S106 contributions for Crossrail

- 8.5 The overall amounts (general heads of term) received can be further broken down to indicate their broad purpose, as set out below in table 8.2.

Heads of Terms	2015/16 Agreed	2015/16 Received
Children's Play Area	£0	£0
Community Facilities	£187,500	£720,692
Ecological Management	£0	£0

Education and Training	£66,078	£1,585,978
Employment and Job Creation	£1,754,082	£300,798
Environmental Improvements	£425,500	£1,077,411
Open Space & Nature Conservation	£1,254	£142,341
Public Arts	£0	£0
Sustainability	£230,700	£0
Town Centre Management	£312,500	£0
Sustainable Transport	£396,850	£936,787
Health Facilities	£0	£0
Total	£3,374,464	£4,764,006

Table 8.2, S106 Contributions received in 2015/16

8.6 Education and Training and Sustainable Transport form the majority of all S106 contributions received. Contributions for Open Space and Nature Conservation contributions are low however the Council can no longer seek S106 contributions towards type of infrastructure as this is included on Hackney's 123 List and therefore CIL is used to fund green infrastructure.

8.7 In 2015/16, there was approval to spend 53 projects were approved worth £3.2 million. A summary of the areas with spending can be found in the table 8.3, below:

Head of Term	Number of Projects	S106 contribution value
Environmental improvements	3	£460,592.00
Highways	37	£1,809,089.00
Open space and nature conservation	1	£4,868.00
Affordable Housing	1	£133,000.00
Community Facilities	5	£661,010.00
Sustainable Transport	6	£206,167.00
Total	53	£3,274,726.00

Table 8.3, S106 spending in 2015/16

8.8 Completed projects in 2015/16 include:

- Improvements to Allens Gardens, aimed at improving biodiversity. The works include Owl Boxes, bat detectors, wildflower pollinators and additional seating as well as an educational program.
- Work has completed on renewing the interior of Stoke Newington library and on improvements to Shoreditch library.

Section 106 Planning Obligations in 2016/17

8.9 The S106 amounts agreed and received in 2016/17 are set out in table 8.1 below. These totals have increased since the previous financial year (2015/16).

8.10	2016/17 Agreed	2016/17 Received
General Heads of Term	£7,255,450	£9,869,655
Affordable Housing	£13,212,480	£5,970,371
Highways	£2,714,287	£1,452,451
Total	£23,182,217	£17,292,477

Table 8.4, S106 Contributions Agreed and Received in 2016/17 excluding S106 contributions for crossrail

8.11 A further breakdown of the overall amount (General Heads of Terms) is provided below in table 8.5 below.

Heads of Terms	2016/17 Agreed	2016/17 Received
Children's Play Area	£0	£0
Community Facilities	£12,207	£12,207
Ecological Management	£0	£0
Education and Training	£655,381	£6,807,990
Employment and Job Creation	£4,163,598	£1,260,374
Environmental Improvements	£475,123	£1,233,488
Open Space & Nature Conservation	£1,584	£32,755
Public Arts	£0	£71,282
Sustainable Transport	£1,389,425	£70,050
Sustainability	£536,457	£83,057
Town Centre Management	£21,675	£111,831
Health Facilities	£0	£186,621
Total	£7,255,450	£9,869,655

Table 8.5 , S106 Contributions Agreed and Received in 2016/17

8.12 Employment and Job Creation, Environmental Improvements and Education and Training form the majority of all S106 contributions received.

8.13 In 2016/17, there was approval to spend £6 million on 47 projects. A summary of the areas with spending can be found in the table 8.6, below:

Head of Term	Number of Projects	S106 contribution value
Education and Training	3	£1,019,500
Employment and Job creation	1	£126,201
Environmental improvements	3	£1,371,263
Community Facilities	3	£207,015
Town Centre Management	1	£124,435
Highways	26	£1,898,210
Open space and nature conservation	8	£226,199
Sustainable Transport	2	£1,051,104
Total	47	£6,023,927

Table 8.6, S106 Spending in 2016/17

8.14 Completed projects in 2016/17 include:

- Cardinal Pole Roman Catholic School received a much needed internal work to consolidate 3 small areas into one large fit for purpose library. S106 contributions were allocated to free up three existing rooms for future curriculum delivery and transform the delivery of the library function. An addition, an extension was built to the existing school estate.
- Due to increasing demand for school places, S106 contributions were allocated for the expansion of Woodberry Down Primary School from two to three forms of entry. This work was completed in April 2017.
- S106 contributions went towards improving De Beauvoir Square's play area. A second entrance was added to the play area to provide an alternative exit point from the enclosed space. The wooden edges to the squares rose beds have been replaced with a metal edging eliminating future maintenance issues.
- The London Fields outdoor gym equipment had reached the end of its life and was located in the children's play area. Contributions went towards replacing and expanding outdoor gym equipment in a new more accessible location in London Fields.
- Contributions went towards improving and replacing play equipment which had come to the ends of its life in Haggerston Park.

8.15 Overall there has been more activity on the spending side of S106 in 2016/17, with a higher number of agreements signed and amount of money in heads of terms. Overall there has been significant spending on improvements to the borough through S106.

Hackney's Community Infrastructure Levy

8.16 The Community Infrastructure Levy (CIL) is a mechanism to allow local planning authorities to seek to raise funds from new development, in order to contribute to the cost of infrastructure that are necessary to support new development. Hackney adopted its CIL in April 2015. The CIL will directly contribute to the provision of new community infrastructure in Hackney through the Infrastructure Deliver Plan

8.17 CIL income and expenditure in 2015/16 is detailed in the table below.

Details	Amount (£)	Amount (%)
CIL receipts in 2015/16		
Total CIL received	122,575	100
No 'in-kind' infrastructure or land was received in lieu of CIL payments	n/a	
Expenditure on Infrastructure (Regulation 123 List)	0	
Amount of CIL applied to repay money borrowed and items of infrastructure funded	0	
Amount of CIL applied to administrative expenses (in accordance with Regulation 61 of the CIL Regs)	6,129	5
Amount of CIL applied to neighbourhoods (in accordance with Regulation 59C of the CIL Regs)	0	
CIL receipts retained for expenditure in future years		
Amount of Hackney CIL which has been retained to be applied to infrastructure items on Hackney's Regulation 123 list in future years	98,060	80
Amount of Hackney CIL which has been retained to be retained for expenditure on neighbourhoods in future years	18,386	15

Table 8.7: CIL income and expenditure 2015/16

8.18 Hackney received £122,575.19 in Hackney CIL receipts from development in the 2015/16 financial year. Payments were received from the following schemes:

Planning reference number	Site Address	Financial Value (£)
2015/1610	Shacklewell Lane 1C, E8 2DA	5,074
2014/2591	Shepherds Lane 9, E9 6JJ	30,448
2015/0861	Broadway Market 12, E8 4QJ	9,025
2014/3111	Woodmill Road, Block 5, London E5 9BQ	52,003
2015/1118	Evering Road 160, E5 8AH	3,195
2015/2005	Thistlewaite Road 59, E5 0QG	373
2015/1019	Hackney Road 43 - 47, E2 7NX	22,458
TOTAL		122,575

Table 8.8 Developments from where CIL was received in 2015/16

8.19 CIL income and expenditure in 2016/17 is detailed in the table below.

Details	Amount (£)	Amount (%)
CIL receipts in 2016/17		
Total CIL received	£6,637,037	100
No 'in-kind' infrastructure or land was received in lieu of CIL payments	n/a	
Expenditure on Infrastructure (Regulation 123 List)	0	
Amount of CIL applied to repay money borrowed and items of infrastructure funded	0	
Amount of CIL applied to administrative expenses (in accordance with Regulation 61 of the CIL Regs)	331,852	5
Amount of CIL applied to neighbourhoods (in accordance with Regulation 59C of the CIL Regs)	0	
CIL receipts retained for expenditure in future years		
Amount of Hackney CIL which has been retained to be applied to infrastructure items on Hackney's Regulation 123 list in future years	5,309,630	80
Amount of Hackney CIL which has been retained to be retained for expenditure on neighbourhoods in future years	995,555	15

Table 8.9: CIL income and expenditure 2016/17

8.20 Hackney received £6,637,037 in Hackney CIL receipts from developments in the 2016/17 financial year. A detailed breakdown of contributions received from development is provided in the table below.

Planning reference number	Site Address	Financial Value (£)
2015/3916	10-14 Crossway Stoke Newington London	£615,075
2015/3432	109 Graham Road	£9,002
2016/1054	115 Stoke Newington Road	£9,020
2014/4101	127 Richmond Road	£5,549
2015/1144	127a Shacklewell Lane London	£3,686
2016/0824	15 King Edwards Road	£15,300
2015/4622	169 Blackstock Road	£204

2015/3347	1a West Bank	£38,180
2016/3452	20 Beatty Road	£4,395
2016/0867	23 Kyverdale Road	£1,975
2015/0014	233 Well Street	£6,064
2014/3644	241 Evering Road	£2,607
2015/1840	28 Amhurst Road	£9,880
2015/3945	28 Fountayne Road	£3,850
2015/3254	2a Median Road London	£1,940
2015/1695	3 Clifden Road	£1,820
2014/3405	3-5 Kingsland High Street	£78,090
2016/0831	37 Mildenhall Road	£604
2015/1895	39-45 Gransden Avenue	£318,514
2016/2328	46 Reighton Road	£2,100
2015/2745	47 and 49 Chatsworth Road	£469
2015/1250	4-8 Defoe Road	£15,029
2014/4207	501-505 Kingsland Road London	£28,738
2015/2278	51 Darnley Road	£1,858
2015/2184	61 Alkham Road	£1,601
2016/2309	71 Mount Pleasant Lane	£1,497
2016/0866	71 Reighton Road	£1,733
2016/0231	72 Southgate Road	£10,975
2016/1578	73 Great Eastern Street	£12,760
2014/4209	92a Chatsworth Road	£1,476
2015/2643	Eagle Wharf Road 32-34 London N1 7EG	£240,354
2014/1460	Great Eastern Buildings, Reading Lane E8 1DR	£73,629
2015/2762	Great Eastern Street 21-33 (odd), Holywell Lane 36-41, Holywell Lane 34-39 London EC2A 3EL	£166,870
2015/1700	Holywell Centre Phipp Street 1 EC2A 4PS	£190,043
2015/0627	Hoxton Street 44-76	£146,859
2016/1349	Lower Clapton Road 131 and 133	£17,591
2015/0843	Maitland House 25-31 Mothers Square London	£19,087
2015/3504	Mare Street 371 and 371a Brett Road 14 E8 1JP	£21,350
2015/2277	Millfields Road London	£18,462
2016/0300	New Regents College Upper School, Nile Street, London	£837,699
2015/1717	Site bound by Corsham Street, Brunswick Place and Baches Street London	£389,735
2015/0877	Sun Street 5-29, Crown Place 1-17, Earl Street 8-16, Wilson Street 54 (One Crown Place)	£3,311,367
TOTAL		£6,637,037.00

Table 8.10: Developments from where CIL was received in 2016/17

Mayoral Community Infrastructure Levy

8.21 In addition to the Hackney CIL, Hackney has been collecting the Mayors CIL since 1st April 2012. In the FY2015/16 Hackney contributed £6.4 million. Over the same period, Hackney reported demand notices for £2,418,215.79 to developers. In the FY2016/17, Hackney contributed over £4.3 million. Over the same period, Hackney reported demand notices for over £5.3 million to developers.

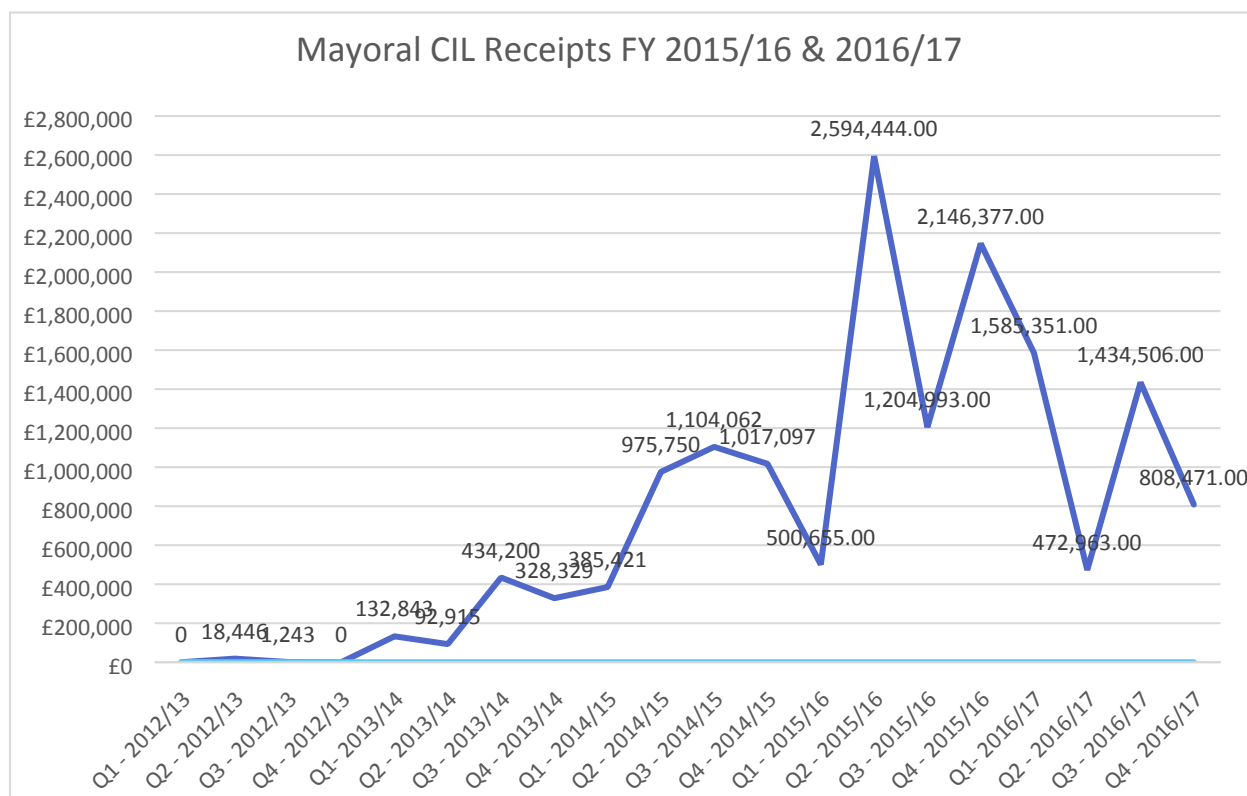


Figure 8.1, Mayoral CIL receipts 2015/16 – 2016/17

8.22 Figure 8.1 shows that rates of Mayoral CIL have increased steadily over time, peaking at 2.59 Million in the second quarter 2015-16. As CIL is charged on new floorspace, CIL receipts will track the pace of development in the borough, and help to support its provision in a sustainable way.

D1 – Community Uses - Non- residential institutions

8.23 The D1 Use Class refers to non-residential institutions which encompasses a range of uses including schools, nurseries, education and training centres and health centres among others. During the 2015/16 year 15,020sqm of D1 floorspace was completed in the Borough. A further 364sqm was completed in the 2016/17 year.

Education Floorspace

8.24 The additional floorspace delivered for education purposes specifically is also very positive. During the 2015/16 and 2016/17 years an additional 14,975sqm and 1,207sqm respectively, of education floorspace was delivered. Over the last five years an additional 36,864sqm of D1 floorspace for education use was delivered in the Borough as figure 8.2 shows.

8.25 Some notable developments include:

- the net gain of 6,345sqm of D1 floorspace at Holy Trinity Primary School in Dalston (application ref: 2013/0457); and
- the net gain of 5,557sqm floorspace for a new secondary school on Kingsland Road (2013/1895).

8.26 Over a five year period, 28,273sqm of D1 floorspace for education use was given planning permission, 18,343sqm of which has been completed. This is captured in figure 8.3. Figure 8.3 also shows that there is currently 8,572sqm in the pipeline for development, 4,632sqm of which has started.

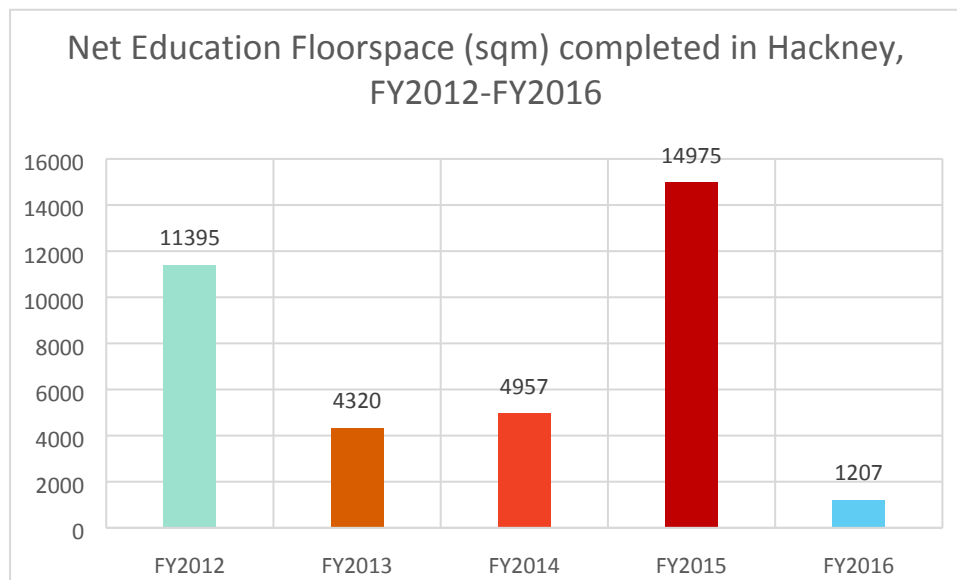


Figure 8.2: Net D1 floorspace for education purposes completed in Hackney, FY2012-FY2016

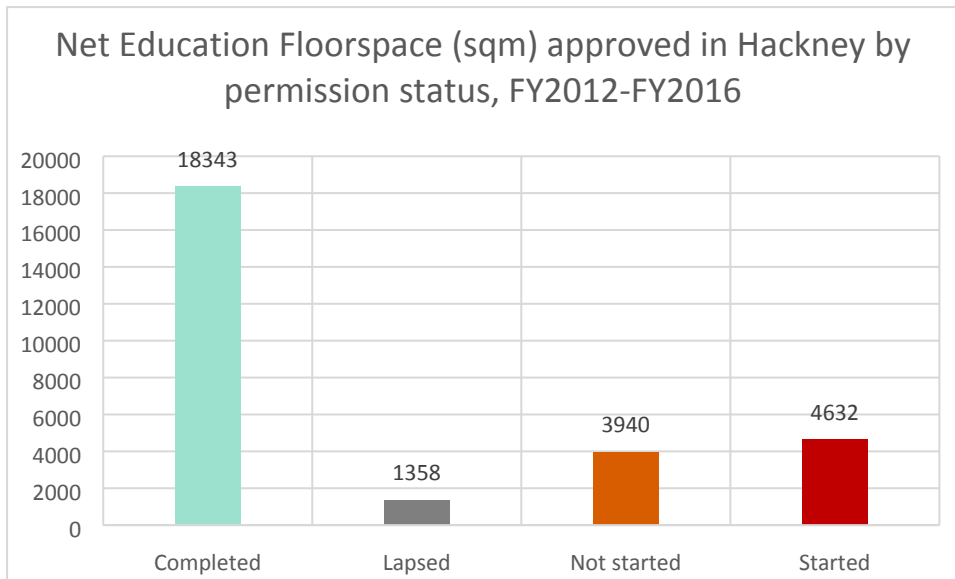


Figure 8.3: Net D1 floorspace for education purposes approved in Hackney, FY2012-FY2016

- 8.27 Some notable planning permissions for educational uses in the pipeline include:
- Development of 1,972sqm D1 floorspace for a new primary school and nursery at Tiger Way, Hackney Downs (2016/0307).
 - Development of 1,889sqm of D1 floorspace for a new school and college at Nile Street, Hoxton (2016/0300).

9. Transport

- 9.1 Core Strategy Policy 6 aims to reduce the need to travel, with an emphasis on car travel, as well as promoting public transport improvements. Planning works closely with transport planning to achieve these outcomes.

Public Transport developments in Hackney in 2016/17

- 9.2 The Council is committed to upgrading its local transport network in order to facilitate higher levels of walking and cycling, promote better access to public transport, and make our streets and public spaces more attractive to live, work visit and invest in.
- 9.3 The purpose of Hackney's Transport Strategy 2015-2025 is to encourage more walking, cycling and use of public transport for those who live, work and visit the Borough and to continue to reduce the need for private car use. The Strategy supports the objectives set out in the Mayor of London's Draft Transport Strategy 2017.
- 9.4 Car ownership levels in Hackney fell between 2001 and 2011 with the proportion of households with a car dropping from 44% to 34%. Hackney has seen an 8% reduction in motor traffic levels between 1994 and 2011.
- 9.5 Walking levels in Hackney have been increasing over the years; 39% of people in Hackney use walking as their main mode of transport over a seven day period, compared to the Greater London average of 32%.
- 9.6 Cycle space provision in approved developments almost quadrupled between 2015/16 and 2016/17.
- 9.7 In 2015, Transport for London (TfL) and Hackney Council announced improvements to - Cycle Superhighway Route 1 (CS1) in Hackney. Initial improvements were completed in April 2016.
- 9.8 **Cycle Superhighway Route 1 (CS1)** runs largely on roads parallel to the A10 between Tottenham and Liverpool Street station, forming part of the London-wide network of Cycle Superhighways. Following a public consultation in 2015, further improvements to areas around De Beauvoir and Wordsworth Roads were identified (through traffic at five junctions in the De Beauvoir Road and three junctions around Wordsworth Road areas were to be restricted). Improvement works on these junctions started in October 2016.
- 9.9 The pedestrian interchange between Hackney Downs and Hackney Central stations was completed in August 2015. The fully accessible route makes travelling between the two stations much easier. The Council continued to promote sustainable transport by

refreshing its network of on-street electric charging points and the installation of more cycle hangars on the public highway.

Passenger usage at Hackney's Main Stations

9.10 Passenger usage at railway stations in the borough primarily reflects the levels of growth at a station which is either economic or housing driven. This growth is an important indirect indication of the effectiveness of planning policy in both encouraging public transport usage and providing access to these services.

Station Name	% Change, Passengers 2014-15	% Change Passenger 2015-16
Haggerston	24	35
Hoxton	17	43
Hackney Wick	10	26
Hackney Central	7	5
Homerton	7	-11
Dalston (Kingsland)	3	-7
London Fields	16	64
Clapton	4	-2
Dalston Junction	16	38
Shoreditch High Street	20	57
Stoke Newington	4	19
Rectory Road	-2	12
Stamford Hill	13	11
Hackney Downs	6	5
Old Street	16	115

Table 9.1, Station Passenger Numbers 2014/15 and 2015/16, Hackney

9.11 Table 9.1 shows that there has been significant increases in station usage over the last one year, with London Fields, Shoreditch High Street and Old Street registering an increase in passenger numbers of more than 236%, with a total of 12.5 million entries and exits in 2015/16 across the three stations. In the same period, overall station use within Hackney increased from 40.5 million to 48.8 million passengers – an increase of more than 8 million (17%). However growth appears to be decelerating some centres including Hackney Central and Dalston Kingsland/Junction, with passenger numbers decreasing by an average of 2% and 10% respectively at these stations between 2014/15 and 2015/16. It is too early to say if this is a trend. Usage at these stations will continue to be monitored.

9.12 Overall, the Overground lines in Hackney have been highly successful, though are near to capacity at peak times in the borough. TFL is working to improve capacity, primarily

through the addition of an extra car to all services presently operating on the Overground Network, increasing capacity by 25% by 2018. In addition, the connection via walkway of Hackney Central and Hackney Downs stations has helped in spreading increases in demand by providing a more direct route to the city centre.

Net Car and Cycling Spaces

9.13 Car parking standards are established by the London Plan, which aims to reduce their provision. Car and Cycle spaces in developments are a key indicator of the effectiveness of policy by directly reducing the supply of space in which new residents can place vehicle – though some spaces, for example those for disabled users.

Schemes	Net Car Spaces (inc.. disabled)	Net spaces Per scheme	Net Cycle Spaces	Cycle Space Per Scheme	Percentage car free
Approvals 2014/15	68	0.3	4413	23	88%
Completions 2014/15	196	3.1	963	16	88%
Approvals 2015/16	38	2.11	1803	22	94%
Completions 2015/16	59	2.03	1349	31	87%
Approvals 2016/17	153	8.5	5763	99	93%
Completions 2016/17	363	14.5	1993	46	87%

Table 9.2, Net Car and Cycle Spaces, 2014, 2015 and 2016, Hackney

9.14 Figure 9.2 shows that overall, the policy has been effective at delivering car free development; 87% of completed development were car free in 2015/16 and 2016/17 and on average; 2.03 car parking (disabled included) spaces were delivered per scheme in 2015/16, a decrease of 1.07 per scheme since 2014/15. However, this figure went up by to 14.5 car parking spaces (including disable) per scheme in 2016/17, and this was mainly due to the completion of two large projects (Woodberry Down Estate and the International Broadcast Centre (IBC) on Waterden Road) which between them delivered 971 car parking spaces. Cycle space provision has gone up by almost 27% from 963 in 2014/15 to 1349 in 2015/16, and by almost 33% to 1993 in completed developments in 2016/17.

Analysis

9.15 The Core Strategy sets out an overarching aim of planning policy as to promote healthy and active lifestyles encouraging a shift from car usage to public transport, walking and cycling. Planning works closely with the transport planning team to achieve this. Between 2015 and 2017, transport improvements were delivered for **improved**

accessible bus stops and increased cycle hangers as well as completion of the Hackney Downs/Central link and cycle superhighway.

- 9.16 Hackney's railway stations continue to improve year on year, with **a total of 48.8 million entries/exits at stations in 2016**. The key growth areas of Old Street and Shoreditch High Street stations recorded growths of **115% and 57%** in 2015/16. On these statistics **Dalston Kingsland station is busier than Nottingham, Hackney Central than Ealing Broadway and Shoreditch than Stanstead Airport**. These statistics reflect **access levels to key services** in the borough being **better than surrounding boroughs** as well as the **inner London average**, with key services being an average of **8.2 minutes by bike**, the third best times for cycling in London, and **9.1 minutes** by walking or public transport. Therefore planning policy has performed well in light of core strategy policy 6.
- 9.17 Core strategy policy 6 also aims to reduce car usage in the borough, by encouraging car free developments. This is secured through DMLP DM47 which expects the majority of developments to be car free or car capped. Overall, in 2015/16 and 2016/17, 87% of completed development were car free, as were 94% and 93% of approved developments respectively. Cycle space provision almost quadrupled from 1803 to 5763 in approved developments between 2015/16 and 2016/17. Policy may need to consider how it can ensure larger schemes are not exempt from car free development in order to continue the net loss of parking spaces achieved in recent years.
- 9.18 Hackney Council will continue to seek to develop policies of re-prioritising the needs of road users away from the car and more towards pedestrians, cyclists and public transport users in line with National Guidance. At a local level, Hackney has sought to improve conditions through a variety of interventions including upgrading the public realm, managing parking demand through controlled parking zones, removing gyratories and one way streets, and introducing traffic calming measures.

10. Open Spaces

10.1 One of the objectives of the Core Strategy is to ensure that Hackney's natural environment, including wildlife habitats and landscape character is protected and conserved and that new development identifies, protects and enhances important assets. Core Strategy policy 26 requires that there be no loss of open space within the network of designated open spaces, and DMLP DM32 requires new developments to provide new open space in developments. Hackney has green space totalling about 400 acres, almost all of which is protected by planning designations which seek to restrict loss.

Changes to Open Space in the Borough

10.2 Core Strategy policy 26 seeks to safeguard existing open space in Hackney, by preventing the loss of designated open space. There was a loss of 0.136 Ha of designated open space in Hackney from schemes completed in 2016.

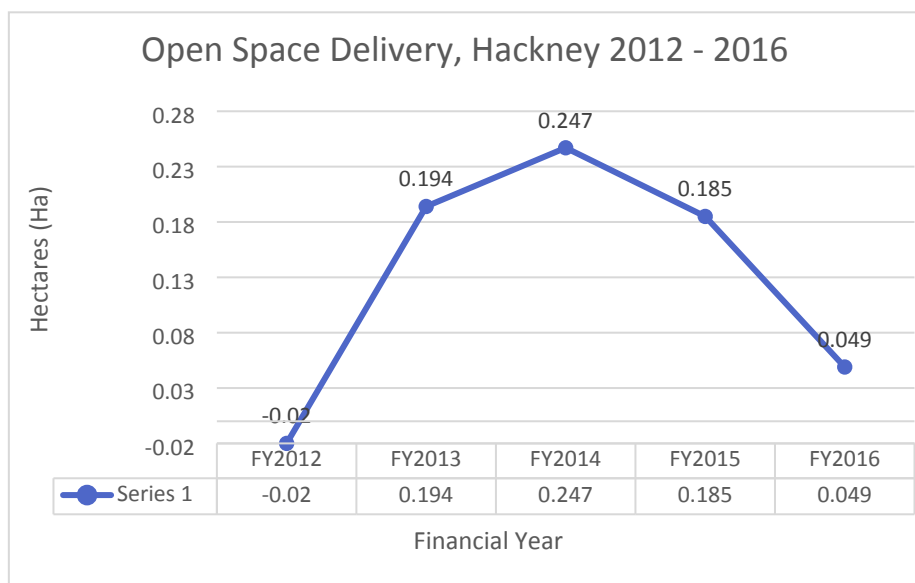


Figure 10.1, Open Space Delivery 2012-16, Hackney

10.3 Figure 10.1 indicates that there has been a net loss of open space in Hackney in 2016 of around 1360sqm.

10.4 Overall, the policy seems to be working. The decline in open space delivery in 2016 could be to lack of big projects delivery within the year. However, the current acute development pressures in the borough (all new development was developed on brownfield) and lack of any Greenfield developable land may negatively impact on future open space delivery within the borough.

Green flag Awards for Parks

10.5 Green Flag awards are given for a high level of environmental quality, and are awarded based upon 5 year plans for the improvement of parks. In 2016/17, 21 parks in Hackney achieved green flag status. These were:

- Albion Square, N1 (Bold indicates new awards)
- Aske Gardens, E8
- Butterfield Green, N16
- Cassland Road Gardens, E9
- Clapton Pond, E5
- Clapton Square, E5
- Clissold Park, N16
- De Beauvoir Square, N1
- Hackney Downs, E5
- Hackney Marshes, E9
- Haggerston Park, E2
- Hoxton Square, N1
- London Fields, E8
- Mark street gardens EC2A
- Millfields Park, E8
- Shoreditch Park, N1
- Springfield Park, E5
- St John's Churchyard Gardens, E5
- Well Street Common, E9
- West Hackney Recreation Ground, N16
- Woodberry downs park N4

10.6 This is an increase of 2 new awards over the previous financial year, with Woodberry Down and Mark Street Gardens being the additional parks awarded Green Flags, indicating that the quality of parks is growing. In 2015/16 we had 19 Green Flag Awards (Millfields and West Hackney Recreation Ground were the new ones). Hackney currently has 23 Green Flag Awards, which includes all of those listed above plus Stonebridge Gardens and Kynaston Gardens. All of Hackney's District and Regional Parks are designated along with many local spaces.

Planning Obligations for open spaces

10.7 Planning obligations are a direct result of planning for new development and are tailored to the needs of the area on an agreement basis, contributing to the improvement of existing open spaces. Several projects were funded out of S106 in Hackney for Open Space in 2016. These were:

- Clissold Park pathway and fencing improvements
- De Beauvoir Square Play area infrastructure
- Hackney Road Recreation Ground Improvements

- Haggerston Park Play Area
- London Fields outdoor gym
- Shepherdess Walk Play Area
- Daubeney Fields Play Area
- Clapton Square Improvements

Analysis

10.8 As the inner London Borough with a largest amount of green space, Hackney has been historically successful at protecting green spaces for its citizens. Core Strategy policy 26 looks to protect and improve the existing open space network, and covered by DMLP policies 31 and 34 which protect open space as well as biodiversity. Although there has been a net loss of 1360sqm of open space in Hackney 2015/16, but overall, the policy has been effective given the positive trends in open space delivery for the last 5 years.

11. Design and Heritage

11.1 One of the overarching objectives of the Core Strategy is to Protect and enhance the quality of Hackney's historic environments through a sensitive approach to existing character. Core Strategy policy 24 requires that all development should enrich and enhance the built environment that developments make a positive impact, with special reference to historic buildings and landscapes under policy 25. These are further codified through DMLP policy DM1 which places design at the centre of the planning process. Performance of these policies is difficult to measure, as design quality is a subjective matter. However, there are a range of statistics around heritage. These primarily relate to protection of historic buildings or areas are regulated by Historic England in collaboration with the borough.

Heritage at Risk

11.2 The Heritage at Risk Register is operated by Historic England and, as the name suggests identifies historic buildings, structures and areas at risk if maintenance or restoration is not carried out. There has been a reduction in the number of listed buildings at risk in the borough by 3 sites, or around 9%, from 34-31 sites. This overall figure hides the churn in the register: more than 3 sites were removed, but then others were added.

11.3 It is likely that more buildings will be taken off of the register in coming years, with planning policy helping to bring forward sensitive redevelopment of these sites. Of the buildings on the October 2016 register, 11 are the subject of development schemes or restoration proposals at various stages and/or enforcement action which should see them removed from the register in the coming years.

11.4 Three Conservation Areas (Dalston Lane (West), Mare Street and Sun Street) are at risk. Dalston Lane (West) has recently had its Conservation Area Appraisal and Management Plan revised and renewed and it is hoped that once a single large development project is complete, it can be removed from the register. Mare Street and Sun Street will be subject to review in the proposed Conservation Areas Review and this review will address their boundaries and other issues.

Conservation Areas

11.5 Hackney contains a large number of conservation areas which protect the historic character of areas such as De Beauvoir Town and Mare Street, the total number of

conservation areas in the borough currently stands at 30. Conservation areas limit permitted development rights, meaning that applications must be made for external alterations and extensions, to ensure they are in keeping with the character of the area.

- 11.6 Two conservation areas were designated in July 2016, these comprised the designation of a new conservation area in Dalston and a small extension and review of the existing Albion Square Conservation Area. The Dalston Conservation Area runs from Dalston Junction north to Stoke Newington Road and comprises many Victorian and Edwardian buildings that flank the linear route of the Roman Ermine Street. The conservation area also includes several mews style streets of former workshops that run parallel to the main roads. In Albion Square, the conservation area was extended eastwards to include the Victorian Queensbridge Primary School and a full character appraisal of the conservation area was also produced, which sets out its important qualities.
- 11.7 In late 2016, the Council consulted local residents and stakeholders on a westwards extension to the existing Dalston Lane (West) Conservation Area. This conservation area was originally designated in 2005 and comprised early ribbon development along Dalston Lane dating from the Georgian and Victorian eras. The westward extension brings in many buildings from Hackney's industrial past including the former Reeves Colourworks Building in Ashwin Street and the former Shannon Factory (now Springfield House) in Tyssen Street. The extended conservation area was formally adopted on 23rd January, 2017.

Tall Buildings

- 11.8 Tall buildings are of particular interest primarily as they represent some of the largest and most complex planning applications the borough deals with and they significantly test the strength of planning policy. Hackney takes a case-by-case approach to Tall Buildings in the borough, in line with the Hackney Tall buildings strategy (2005) and RTPI guidance (2007), within the context of the London Plan (with amendments, 2016).
- 11.9 A total of 6 tall buildings of 10 storeys or greater with an average height of 23 storeys were approved between 2015 and 2017. During the same period a total of 7 tall buildings were completed with the average height of 14 storeys. These developments have predominantly taken place to the south of the borough. It is interesting to note that 4 of 6 buildings approved between 2015 and 2017 are in schemes containing residential units, indicating that tall buildings are primarily supported by high residential values as opposed to office space.

Hackney Design Awards

11.10 The Council first ran the Hackney Design Awards (HDAs) programme in 2004 and has been run successfully every two years since then. It is widely acknowledged that the HDAs are an established part of Council's programme of events that enhances its reputation and promotes good architectural and urban design in Hackney. The Hackney Design Awards are one way to ensuring development in Hackney is delivered to the highest possible standard and to enable high quality development through a range of initiatives (Design Review Panels etc) and partnerships.

11.11 Hackney Design Awards celebrate the rich and diverse new high-quality architecture and open spaces that contribute to the borough's reputation as a hub of some of the best buildings and places in London.

11.12 The 2016 Hackney Design Awards were run on a similar basis to previous years. We received 50 project nominations and the Judging Panel was convened in August to determine a shortlist of 16 schemes. In September 2016, the Judging Panel crowned Woodberry Wetlands the people's choice winner. The winners were announced in late November 2016 in Hackney Today and on the Council's website.

The Awards:

- Acknowledges, promotes and rewards buildings and public spaces throughout Hackney that make a positive contribution to the lives of people and places throughout the borough – this in turn raises the awareness of the built environment across Hackney's diverse communities.
- Reward the client for having the vision, the highly skilled architects and designers who bring the vision to life, and the competent contractor for constructing buildings to a high standard of finish.
- Send a positive message to the design and development industry that Hackney is serious and committed to achieving high quality design for its residents and businesses.

Analysis

11.13 Overall the situation has been positive for heritage and design in Hackney, with a reduction in the number of buildings at risk. Importantly, this has been due to efforts to regenerate these buildings into ways which safeguard the character while setting them on a sustainable footing. These show that policy 24 and 25 of the DMLP are working effectively, especially with other policies in the plan which look to secure new housing and employment uses.

11.14 Design is a highly subjective exercise, with planning policy having a minor role to play in ensuring that new developments are of the highest quality and in keeping with their context and character. This is exemplified through the Hackney Design Awards, which were concluded in November 2016 with Woodberry Wetlands emerging the overall winner.

12. Planning Performance

12.1 The performance of Development Management is important to both the Council and Central Government, who measure performance. It should be noted that these statistics reflect the most recent dataset. Performance is measured by speed of decision making and quality:

- Speed: 70% of Major applications must be determined within 13 weeks of validation; 75% of minor applications must be determined within 8 weeks of validation. 80% of all other applications completed within 8 weeks,
- Quality: 70% of appeals to planning applications must be dismissed.

12.2 Hackney also has its own performance targets which cover a broader range of subjects:

- Customer Satisfaction: 60% of customers satisfied with planning service
- Speed: 80% of planning applications validated within 5 working days; 80% of planning searches carried out within 10 working days;

12.3 As shown in table 12.1, below, the speed at which applications were processed was maintained throughout 2015/16 and 2016/17, and exceeded targets, despite a record number of planning applications being received., Processing of other applications was consistently above target, averaging 87.5%.

12.4 Quality has also been maintained despite the increase in the number of appeal cases in 2016/17. A total of 128 appeal cases were submitted in 2016/17, of which 63% were dismissed.

Indicator	Target	2015/16					2016/17				
		Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Q4	Total
Percentage of major planning applications determined within 13 weeks	70%	46% (6 out of 13)	67% (2 of 3)	100% (11 of 11)	86% (6 out of 7)	74% (25 of 34)	67% (8 of 12)	92% (12 of 13)	80% (8 of 10)	100% (9 of 9)	84% (37 of 44)
Percentage of minor applications determined within 8 weeks	75%	73%	78%	78%	80%	79%	80%	83%	83%	74%	80%
Percentage of other applications determined within 8 weeks	80%	84%	86%	85%	86%	87%	90%	88%	91%	85%	88%
Percentage of planning appeals dismissed	70%	62% (15 out of 24)	66% (10 out of 15)	59% (10 out of 17)	83% (25 out of 30)	70% (60 of 86)	52% (21 of 40)	73% (22 of 30)	68% (17 of 25)	64% (21 of 33)	63% (81 of 128)

Table 12.1, General Planning Performance, 2015/16 and 2016/17, Hackney

12.5 Internal targets are more varied in areas covered but are largely focused on speed of decision making. Validation services undershot its target (80%) by a small amount of 8% in 2015/16. However, the gap between the target and performance grew bigger in

2016/17 (52%). Planning searches on the other hand performed better, with a 64% in 2015/16 and 87% for the first 3 quarters of 2016/17 of the searches being processed within 10 working days.

Indicator	Target	2015/16					2016/17				
		Q1	Q2	Q3	Q4	2015/16	Q1	Q2	Q3	Q4	2016/17
% Applications validated within 5 days	80%	70%	75%	79%	63%	72%	64%	55%	50%	57%	52%
% planning searches processed in 10 days	80%	73%	58%	75%	64%	64%	70%	94%	98%	TBC	TBC

Table 12.2, Planning Performance, Local Indicators, 2015/16 and 2016/17, Hackney

12.6 Building control also accords to targets. The Building control team work to inspect new properties and assess their compliance with buildings regulations. Their performance targets are based around speed as well as well as aiming to build their market share versus private companies which provide the same service.

12.7 Over 2015/16 the team increased their market share by 3%, from 34-37%, though it slightly went down to 34% in 2016/17. Still below the target of 50%. The percentage of chargeable applications processed within 3 working days improved over the year, averaging 77%, or 3% below target. 86% in 2015/16 and 87% in 2016/17 of full plan pre-decisions were given within 15 days, 4% and 3% below target respectively. The number of site investigations undertaken within one day of request was significantly above (13%) (11%) target, with 93% and 91% of visits being undertaken in these two periods. Finally, the number of completions certificates issued within 5 days of an inspection was slightly below target, at 83% versus a 90% target in 2015/16, but it bounced back to 96% versus a 90% target in 2016/17.

Indicator	Target	Q1	Q2	Q3	Q4	Total 15/16	Q1	Q2	Q3	Q4	Total 16/17
Percentage market share of building regulations working applications	50%	34%	41%	35%	38%	37%	33%	36%	34%	32%	34%
Percentage of Building Regulations chargeable applications acknowledged within 3 working days (Full Plans, Building Notices,	80%	70%	76%	73%	86%	77%	61%	67%	65%		

Regularisation & Demolition Notice applications).											
% of Building Control Full Plans Pre decisions given within 15 days	90%	88 %	71 %	88 %	100 %	86%	77.5 %	91.3 %	92.3 %	87 %	87%
% site inspections undertaken within 1 working day from request (service standard)	80%	90 %	95 %	94 %	88%	93%	94.5 %	93.3 %	83.2 %	86 %	91%
% of completion certificates issued within 5 days of an approved inspection subject to receipt of appropriate documentation (service standards)	90%	78 %	86 %	85 %	98%	83%	*	*	96.5 %	96 %	96%

12.8 Building control have also been engaged with resolving several dangerous structures in the borough:

- Former 'Ship Aground' pub in Lea Bridge Rd: building shell was left unsupported following the removal of the shoring system due to a dispute between the builder and the owners.
- 185 Graham Road: Unsafe building is currently held up by shoring scaffold. Case has been complicated due to ownership.

Analysis

- 12.9 Overall, the performance of planning has improved over the past year, with targets across development management exceeded; 84% of Major Planning Applications were determined in accordance with agreed timescales, beating a target of 70%. A total of 37 major applications were processed. 80% of minor applications were determined within 8 weeks, also beating the target of 75% and 88% of other applications were processed within their 8 week deadline, beating a target of 80%. The quality of decisions slightly suffered, with only 63% of cases taken to appeal being dismissed. Validation was also below target, with 52% of applications processed in 5 days against an 80% target. This may be accounted for by very large or complex applications being received.
- 12.10 Building control performance has remained consistent though it is still below the 50% target, but an increase of 4% in the market share 2015/16 is an indicator that performance is moving in the right direction. Chargeable applications processed within 3 working days improved in 2015/16 to 77%, or 3% below target, however the trend shows a decline in the chargeable applications processed within 3 working. The number of site investigations undertaken within one day of request was significantly above (13%) target, with 93% of visits being undertaken in 2015/16. The percentage (91%) was still significantly higher than the target of 80% in 2016/17. Overall, the service looks to be continuing to improve.

13. Appendix - Site Allocations in the SALP and Area Action Plans

- 13.1 The Hackney Local Plan contains a suite of Local Development Documents, some of which, allocate sites for development at different scales. The Site Allocations Local Plan allocates sites across the borough for development and is the key provider of new sites to meet objectively assessed housing needs. In addition to this document the borough has three area action plans which designate sites and prescribe specific policy for Manor House, Dalston and Hackney Central.
- 13.2 The status of these sites is important as it constitutes a practical measure of the performance of these plans in regenerating Hackney and achieving the overarching objectives of the core strategy.

Status of Sites in the Site Allocations Local Plan

Site Reference	Known As	Status	Permission
6	Colville Estate Hyde Road N1 5PT	Permission Granted (CPO) - Phase 1 and 2 under Construction	2014/0621
7	Kings Crescent, Green Lanes, N4 2XG	Permission Granted - Started on site.	2013/1128
9	Marian Court, Homerton High St, E9 6BT	Permission Granted - Not Started	2012/1731
10	Bridge House, Homerton High St, E9 6JL	Permission Granted - Phase 2 Started	2012/1731
12	Tower Court, Clapton Common, E5 9AJ	Permission Granted - Not Started	2016/1930
15	King Edwards's Road, E9 7SL	Permission Granted - Started	2013/2159
16	St Leonard's Court, New North Road, N1 6JA	Permission Granted - Started	2012/2915
27	213-215, New North Road, N1 6SU	Development Completed	2009/2102
84	337 Kingsland Road and Adjacent Car Park, E8 4DA	Permission Expired - Not Started	2011/2876
95	12 – 20 Paul Street, EC2A 4JH	Development Completed	2011/1922
99	102 – 110 Clifton Street, EC2A 4HT	Permission Granted – Development completed	2008/2333
100	64 - 80 Clifton Street and 4 - 8 Holywell Lane, EC2A 4HB	No Permission Granted	N/A
101	Holywell Row EC2 at Junction of King, EC2A 3NT	Permission Granted - Started	2014/3268
103	35 – 45 Great Eastern Street, EC2A 3ER	No Permission Granted	N/A
107	Telephone Exchange, Shoreditch High Street, E2 7DJ	No Permission Granted	N/A

108	Bishopsgate, Shoreditch High Street, E1 6JU	Planning application called in by Mayor of London	2014/2425
115	EDF Energy, 10 Appold Street, EC2N 2BN	No Permission Granted	N/A
121	Telephone House, 110 Tabernacle Street, EC2A 4LE	No Permission Granted	N/A
124	Land Bounded by Sun Street, Crown Place EC2A 2AL	Permission Granted - Started	2015/0877
125	Street block bounded Curtain Road, EC2A 2BF	No Permission Granted	N/A
126	225 City Road, EC1V 1LP	Planning Permission - Pending	2016/1814
127	Crown House 145, City Road and 37 East Road EC1V 1LP	Permission Granted - Started	2012/3259
128	Land bounded by Curtain Road, EC2A 3LP	Permission Granted - Started	2012/3871
129	London College of Fashion, 100-102 Curtain EC2A 3AE	No Permission Granted	N/A
130	Site at Junction of Shoreditch High St, E1 6PG	No Permission Granted	N/A
133	London College of Fashion 182 Mare Street E8 3RF	No Permission Granted	n/a
134	Hackney Police Station, 2 Lower Clapton Road E5 0PA	Permission Refused - Pending appeal	2015/3316
135	Wilmer Place, Stoke Newington, N16 0LH	Permission Granted - Not Started	2013/3186
136	Anvil House, 8-32 Matthias Road, N16 8NU	No Permission Granted	N/A
137	84-90 Great Eastern Street, EC2A 3DA	Permission Granted - Started	2016/4054
138	Site bounded by Tabernacle Street EC2A 4EA	No Permission Granted	N/A

139	Site of 5-13 (9consec.) Holywell Lane and EC2A 3PQ	Permission Granted - Started	2012/3792
143	Ash Grove Bus Depot, Andrews Road E8 4RH	No Permission Granted	N/A
166	Land bounded by Warburton Rd, E8 3RH	Multiple Permissions - Started and Completed. North West Side of Site has no Planning.	
190	Arches 189 -222 Morning Lane	Development Completed	2009/0445
204	10-50 Willow Street, EC2A 4BH	Permission Granted - Started	2012/0123
206	Wakefield House, Chart Street, N1 6DD	No Permission Granted	N/A
223	27-37 Well Street London, E9 7QX	No Permission Granted	N/A
225	Works Andrews Road, E8 4RL	No Permission Granted	N/A
233	113-137 Hackney Road, E2 8ET	Permission Granted	2015/3455
244	1-13 Long Street, E2 8HN	Permission Granted - Started	2012/2013
251	ARRIVA / Stamford, Rookwood Road, N16 6SS	No Permission Granted	N/A
256	Tram Depot, 38-40 Upper Clapton Road, E5 8BQ	No Permission Granted	N/A
268	Britannia Leisure, Hyde Road N1 5JU	No Permission Granted	N/A
270	Former Rose Lipman Downham Road N1 5TH	No Permission Granted	N/A
271	164-170 Mare Street, E8 3RH	No Permission Granted	N/A
272	41-45 Stamford Hill, N16 5SR	No Permission Granted	N/A
273	92-94 Stamford Hill, N16 6XS	Permission Granted - Started	2013/3856
279	71-73 Lordship Road, N16 0QX	Permission Granted - Not Started	2011/2526

281	Telephone Exchange, Upper Clapton Road, E5 9JZ	No Permission Granted	N/A
283	Nightingale Estate, Downs Road, E5 8LB	Permission Granted for some elements.	N/A
285	151 Stamford Hill, N16 5LG	No Permission Granted	N/A
286	Woodberry Down, Seven Sisters Road, N4 1DH	Permission Granted - Phase 3 Started and Kick Start Site 4	2010/2427

Status of Sites in the Manor House AAP

Site Reference	Known As	Status	Permission
Ivy House	North East Corner - Ivy House	No Permission Granted	N/A
318 Green Lanes	318 Green Lanes	2016/0734	Current Application
320 Green Lanes	320-324 Green Lanes	No Permission Granted	N/A
Yard Building	North East Corner, Manor House	No Permission Granted	N/A
Manor House/Ivy House Infill	North East Corner, Manor House	No Permission Granted	N/A
SE4	Boys Club and Deaf Centre	No Permission Granted	N/A
SE3	Prospective buildings SE1-SE5	No Permission Granted	N/A
SE1	Marlborough Parade and Marlborough House/Prospective buildings SE1-SE5	No Permission Granted	N/A
SE2	Marlborough Parade and Marlborough House/Prospective buildings SE1-SE5	No Permission Granted	N/A
Hotel Site	South West Corner, Manor House	2015/0844	Granted

Status of Sites in the Dalston AAP

Site Reference	Known As	Status	Permission
A	130 Kingsland Road and site to the rear 130A Kingsland Road	Current Application	2017/3600
B	Dalston Kingsland Station and associated works	Permission Granted - Completed	2014/222
C	51-57 Kingsland High St	Permission Granted - Completed	2013/2042
D1	25-33A, 2-8 & 10-34 Kingsland High Street	Permission Granted - Completed	2013/1039
D2	1, 3, 5, 7 Dalston Lane, (Dalston Western Curve), & 1-7 Ashwin St	No Permission Granted	N/A
D2	2-34 Kingsland High Street (Dalston Western Curve Site)	Permission Granted - Completed	2013/1039
E	36-42 Kingsland High Street (currently McDonalds)	No Permission Granted	N/A
F – F12	Kingsland Shopping Centre	No Permission Granted	N/A
G1	Birkbeck Mews/Road	No Permission Granted	N/A
G2	Ridley Road Market	No Permission Granted	N/A
G3	Ridley Rd/St. Mark's Rise	No Permission Granted	N/A
G4	Ridley Road Market – south side abutting northern edge of railway	No Permission Granted	N/A
G5	Land to Rear of Kingsland Shopping Centre	No Permission Granted	N/A
H	2-16 Ashwin St, 11 - 15 Dalston Lane, southern end of 'eastern curve'.	No Permission Granted	N/A
I	17-25 Dalston Lane	No Permission Granted	N/A
J1	Thames House and corner of Hartwell Street and Dalston Lane to 27 Dalston Lane	Temporary use on site.	2015/0171
J2	Former Tyssen Arms public house.	Permission Granted - Completed	2012/1695
K	Grampul House, Tyssen Street	No Permission Granted	N/A
L	Stamford Works and Gillett Sq Phase 2	No Permission Granted	N/A
M	Holy Trinity Primary School	Permission Granted - Completed	2013/0457
N	67A-73 Dalston Lane and frontage onto Tyssen Street	Permission Granted - Completed	2012/3558

O	Dalston Lane terraces – 46 – 86a Dalston Lane and 457/459 Queensbridge Road	Permission Granted - Started	2014/0323
P	CLR James Library, 16-22 Dalston Lane, 62 Beechwood Road	No Permission Granted	N/A
Q	Former Roseberry Cottages, Roseberry Place	Permission Granted - Completed	2011/0737

Status of Sites in the Hackney Central AAP

Site reference	Site address/name	Status
A1	Tesco east, Morning Lane north side	No planning applications received however informal discussions have taken place.
A2	Tesco west/ Mare Street backs, Morning Lane	No planning applications received however informal discussions have taken place.
A3	5-13 Morning Lane	No planning applications received.
A4	Clapton Bus Depot	No planning applications received however informal discussions have taken place.
A5	Retail frontage west of Clapton Bus Depot fronting Mare Street	No planning applications received.
A6	Railway Arches, Bohemia Place	No planning applications received however informal discussions have taken place.
A7	2-20 Morning Lane and Hackney Trades Hall	No planning applications received.
B1	7-19 Amhurst Road and Council owned station car park	Planning permission (Reference 2011/2209) granted.
B2	Hackney Central Station ticket hall	Several planning permissions have been granted and completed in connection with refurbishment of the station.
C1	The Rectory, 356 Mare Street, Land rear of 392-396 Mare Street and Learning Trust site	Planning permission (Reference 2012/3345) granted.

D1	1-17 Lower Clapton Road, Clarence House and 2-12a Clarence Road	No planning applications received.
D2	302-304 Mare Street	No planning applications received.
E1	Florfield Road depot, Maurice Bishop House and 13 Reading Lane	No planning applications received.
F1	7a Sylvester Road and 'the wash-house', 117 Wilton Way	Planning permission (Reference 2009/2673) granted and development completed.
F2	1-10 Great Eastern buildings and land to the rear of 29-39 Horton Road	Planning application (Reference 2014/1460) lodged.

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REGULATORY SERVICES – Regulatory Services’ Service Plan Update

**CORPORATE COMMITTEE
MEETING DATE 2016/17**

12 December 2017

CLASSIFICATION:

Open

**If exempt, the reason will be listed in the
main body of this report**

WARD(S) AFFECTED

All Wards

GROUP DIRECTOR Kim Wright, Neighbourhoods and Housing

1. GROUP DIRECTOR'S INTRODUCTION

- 1.1 The Food Law Enforcement Service Plan 2016/17 was presented to the Corporate Committee in July 2016 (see Appendix 2). The report was noted. The report now being presented;
- provides an update on the performance of the Food Safety and Trading Standards against the Plan to the end of Q4 2016/17 and the work undertaken to improve the quality of food premises in Hackney to protect the health of the public and also assist businesses to comply with their legal requirements.
 - shows the impact of the service in managing and reducing the numbers of 'not' broadly compliant premises and those not yet rated, in order to improve the percentage of broadly compliant premises in the Borough;
 - notes the greater emphasis placed on driving up compliance through advice, education, inspections of establishments considered to be flouting the law, and the necessary interventions undertaken.
- 1.2 This report also highlights the work of Hackney Trading Standards during 2016/17(see Regulatory Services Service Plan, Appendix 2). The report sets out the Service's performance against the 2016/17 priorities (see Appendix 1) and identifies areas of interest for the future.
- 1.3 In fulfilling its duties, the service provides support to individuals, communities and businesses in the borough to enable people to buy goods and services with confidence and security, and by offering advice to businesses to help them to comply with the law.
- 1.4 The Service also fulfils an important role in relation to public safety and health, for example through ensuring safe storage of dangerous items and by preventing the sale of dangerous products including the supply of age-restricted products to minors.
- 1.5 The Service also seeks to ensure there is a fair trading environment and helps businesses comply with legislation in order to protect consumers from unfair trading practices.
- 1.6 While this report sets out performance in 2016/17 it is the first report presented to the Corporate Committee since the implementation of a new Community Safety, Enforcement and Business Regulation Service, which was introduced on the 3rd of May 2017.

2. RECOMMENDATION(S)

The Corporate Committee is recommended to:

- **Note the level and scope of work being carried out to meet the requirements of the plan.**
- **Note the level and scope of work being carried out to meet the requirements of the plan.**

3. REASONS FOR DECISION

- 3.1 The Food Standards Agency recommends that food service plans are submitted for Member approval to ensure local transparency and accountability.
- 3.2 Trading Standards have a duty to ensure consumer protection law is enforced fairly and proportionately.

4. BACKGROUND

- 4.1 **Food Safety:** The Food Law Enforcement Service Plan (FLESP) is a statutory plan which sets out how the Council will undertake enforcement of food safety legislation.
- 4.2 The Plan is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement (2000), issued 1 April 2001, and is an important part of the process to ensure that national food safety priorities and standards are addressed and delivered locally. It also focuses on key deliverables, provides an essential link with financial planning, provides objectives for the future including identifying major issues that cross service boundaries and provides a means of managing performance and making performance comparisons.
- 4.3 The performance of the Food Safety Service is measured against its fulfilment of the Plan and the percentage of broadly compliant premises within the borough.
- 4.4 Trading Standards: In fulfilling the Trading Standards service provides support to individuals, communities and businesses in the borough to enable people to buy goods and services with confidence and security, and by offering advice to businesses to help them to comply with the law.
- 4.5 The service also fulfils an important role in relation to public safety and health, for example through ensuring safe storage of dangerous items and by preventing the sale of dangerous products including the supply of age-restricted products to minors.
- 4.6 The service also seeks to ensure there is a fair trading environment and helps businesses comply with legislation in order to protect consumers from unfair trading practices.

5. FOOD LAW ENFORCEMENT SERVICE PLAN UPDATE

- 5.1 The FSA's Local Authority Enforcement Monitoring System (LAEMS) data shows that 85% of Hackney's food premises were broadly compliant as of 31st March 2016. The data recently released by the FSA provides a comparative performance data for each local authority in the country.

- 5.2 Tables 1a+b below show food hygiene performance data across North East (NE) London Food Sector boroughs to the end of Q4 2016/17. The tables highlight that Hackney has the third highest number of food premises across the sector and is also ranked third in terms of broad compliance. The two Boroughs with the higher number of food premises, the London boroughs of Camden and Tower Hamlets have lower broadly compliance figures respectively (71% and 81% respectively).
- 5.3 Table 2 demonstrates the level of enforcement action taken across the NE London Food Sector boroughs. It shows that Hackney served the third highest number of hygiene improvement notices, the fourth highest number of Hygiene Emergency Prohibition Notices and has the 6th highest number of voluntary closures.
- 5.4 Table 3 highlights that Hackney is the only one of five NE London Food Sector boroughs to have completed 100% inspections of high risk premises for food standards.

Table 1a – Broadly Compliant

Local Authority	% Broad Compliance (inc. unrated)	% Broad Compliance (excl. unrated)	% Broad Compliance - category A	% Broad Compliance - category B	% Broad Compliance - category C	% Broad Compliance (Cat A-C)	% Unrated Premises
Barking & Dagenham	49%	54%	100%	31%	59%	56%	10%
Camden	71%	86%	2%	32%	87%	73%	18%
Enfield	52%	55%	11%	30%	76%	62%	5%
Hackney	85%	88%	0%	41%	84%	73%	3%
Havering	87%	88%	17%	59%	79%	74%	1%
Islington	78%	84%	11%	40%	77%	69%	7%
Newham	No results submitted						
Redbridge	92%	97%	50%	70%	95%	93%	5%
Tower Hamlets	81%	87%	0%	25%	83%	67%	6%
Waltham Forest	66%	76%	10%	32%	85%	75%	13%

Table 1b – Breakdown of Premises

Local Authority	Total No. of Premises	Total No. of Unrated	Total No. of Broadly Compliant Premises	No. of Category A	No. Broadly Compliant category A	No. of category B	No. Broadly Compliant category B	No. of Category C	No. Broadly Compliant category C
Barking & Dagenham	1335	130	653	1	1	52	16	554	325
Camden	3761	672	2669	63	1	240	76	1079	938
Enfield	2628	128	1373	19	2	179	53	501	379
Hackney	2778	72	2371	12	0	202	82	713	598
Havering	1860	20	1621	6	1	116	69	452	356
Islington	2345	167	1825	19	2	193	78	830	642
Newham	No results submitted								
Redbridge	1877	85	1730	8	4	70	49	768	731
Tower Hamlets	2973	193	2414	35	0	208	51	739	610
Waltham Forest	1971	256	1306	10	1	98	31	451	385

Table 2 - Enforcement

Authority Name	Total number of Voluntary closures	Total number of Seizure, detention and surrender of food	Total number of Hygiene Emergency Prohibition Notices	Total number of - Simple Cautions	Total number of Hygiene Improvement Notices	Total number of Written Warnings	Total number of Prosecutions
Barking and Dagenham	1	0	1	0	10	310	0
Camden (2)	33	4	6	0	36	746	0
Enfield	17	0	0	7	65	1,132	15
Hackney	4	1	4	0	39	612	0
Havering	1	0	0	0	16	874	2
Islington	14	0	1	7	14	361	4
Newham	19	4	2	16	74	963	0
Redbridge	7	0	0	0	8	19	0
Tower Hamlets	1	5	10	0	36	1,309	5
Waltham Forest	1	1	7	0	16	444	5

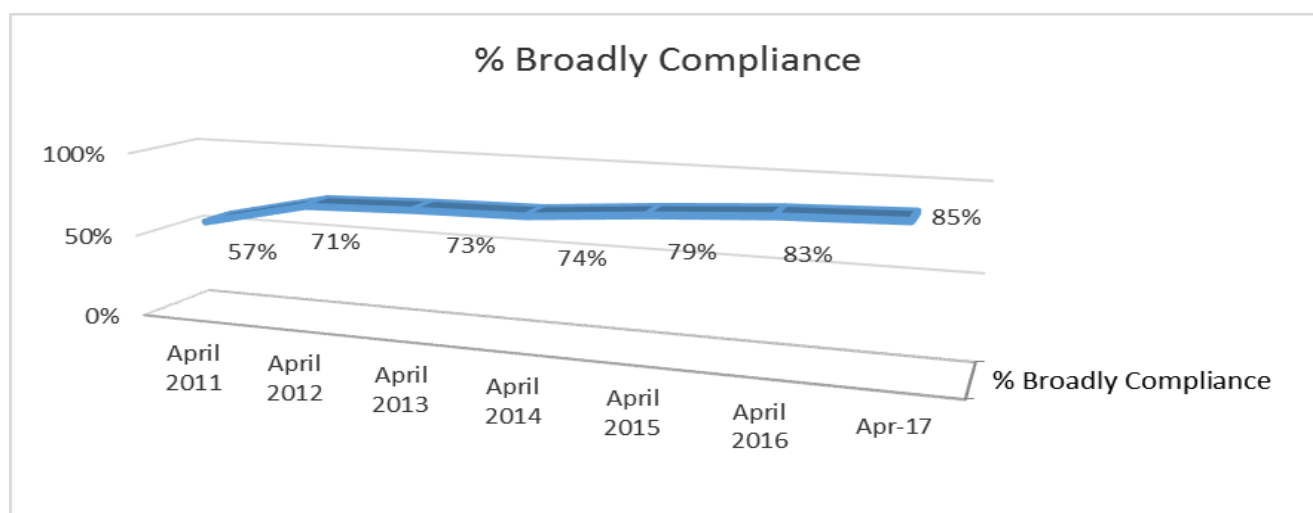
Table 3 - Food Standards

Authority Name	Total % of interventions - premises rated A	Total number of Improvement Notices	Total number of Written Warnings	Total number of Prosecutions
Barking and Dagenham	62.50	0	1	0
Camden (2)	100.00	0	0	0
Enfield	100.00	0	332	0
Hackney	100.00	0	437	0
Havering	100.00	0	763	0
Islington	71.43	0	25	0
Newham	16.67	0	7	0
Redbridge	NR	0	0	0
Tower Hamlets	40.00	1	0	0
Waltham Forest	100.00	2	0	0

5.5 The graph below shows Hackney’s broad compliance percentage performance data direction of travel since 2011. It can be seen that there has been a year-on-year improvement with the percentage of broadly compliant increasing by 28% since 2011. This is a direct reflection of the efforts officers have made to raise the compliance of the food businesses in Hackney using a range of interventions including providing food hygiene training through the Environmental Health Training Centre; undertaking inspections of unrated premises in a timely manner; and taking enforcement action where appropriate thereby ensuring the public are protected.

5.6 The broadly complaint figure is a key performance measurement for food establishments in the Borough. A broadly compliant business is one that achieves a food hygiene rating score of 3, 4 or 5. The number of unrated premises also has an adverse effect on the broadly compliant score as such businesses are deemed to be non-compliant until they have been inspected. Unfortunately, the Service has no control of the number of new business registrations that it receives.

Please see graph in para 5.10.



5.7 **Food Hygiene Inspection Programme** – This concentrates on the handling, preparation, and storage of food in ways that prevent foodborne illness. Members will be aware from the FLESP that premises are categorised and the frequency of inspection depends primarily on their category as specified in the Food Law Code of Practice. The table below shows the progress with inspections.

Inspection Rating	Number of food hygiene inspections due 2016/17	Number of inspections completed	RAG	The frequency of inspection is for Category: A: every 6 months (2 insp/yr) B: every 12 months C: every 18 months D: every 2 years E: every 3 years
A	21 x 2 = 42	42	Green	
B	331	331	Yellow	
C	648 (114 NBC**)	266	Yellow	
D	745* (60 NBC**)	199	Yellow	
E	358*	90	Yellow	
New/Unrated premises carried over from 2015/16	24		Green	

*relates to those premises subject to non-official interventions

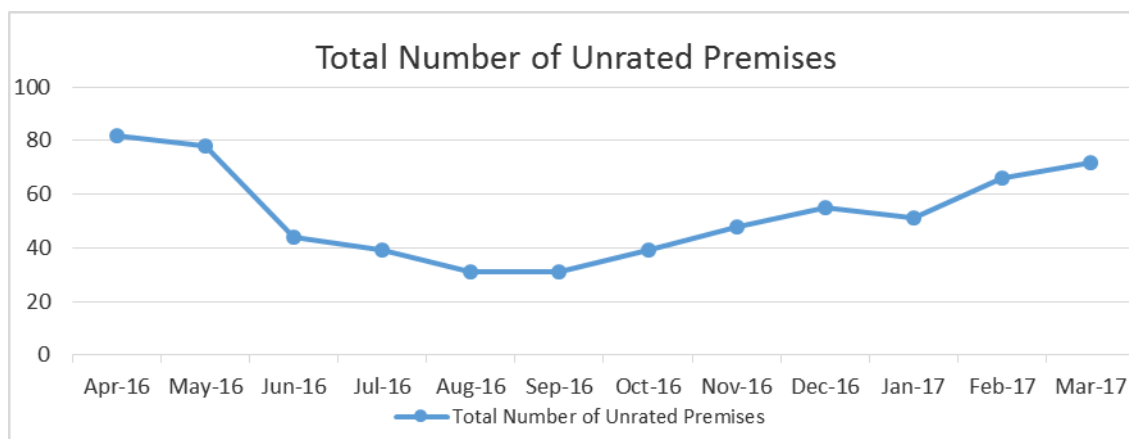
**NBC = Not Broadly Compliant premises, which are not broadly compliant with food hygiene legislation (see 5.6 above)

5.8 Category D & E premises are subject to the alternative enforcement strategy (AES) and are therefore subject to interventions other than inspections. Every Competent Authority must devise an AES to determine how they will conduct official controls duties at premises rated as low risk i.e. those rated category D and E. This can include sending a self-assessment questionnaire for example.

5.9 It should be noted that the number of inspections due above includes a considerable backlog from the previous year. Category D and E are not considered a priority by this Service as resources are directed to the highest risk premises. A category D project was commissioned in Q4 2015/16, however the contractor employed to complete the project left part way through the project and the project was not completed. In order to address the back log of food premises rated D a project commenced in 2017/18 to re-inspect and re-rate these businesses. The same will also apply to premises rated E where the AES applies.

5.10 Inspection rates are acceptable; and the numbers of unrated premises i.e. those premises not yet risk rated because they have not been inspected are being maintained at a low level. The service has a target of 70 unrated premises as at 31st March 2018.

5.11 The graph below shows the variation in numbers of unrated premises.



5.12 Food Hygiene Rating Scheme (FHRS)

5.13 The FHRS is key to the Food Standards Agency's strategic objective: safer food for the nation. Restaurants, takeaways, cafés, sandwich shops, pubs, hotels, supermarkets and other retail food outlets in the Borough, as well as other businesses where consumers can eat or buy food, are given a hygiene rating as part of the scheme.

5.14 Table 4 below shows the number of 0 - 5 rated business in 2016/17.

5.15 Zero rated premises increased by three from 8 to 11 in the period from 1st April 2016 to 31st March 2017. However, the number of zero rated premises is lower than the London average which is encouraging (0.47% for Hackney compared to 0.69% for London). Premises rated 1 and 2 actually fell in the same period (18% and 11% respectively).

5.16 Currently, business that are rated 0-2 are encouraged to request a rerating once the improvements highlighted during the initial inspection have been completed. The same businesses are also contacted by the business consultant to support the business through these improvements.

5.17 The number of premises in Hackney with a FHRS of 3 remains high when compared to London and nationally (see graph below) and further work is planned with these businesses through the business consultancy process to assist businesses to improve hygiene and achieve a higher rating. There has been an increase of 18 in the period 1st April 2017- 31st March 2017 in premises rated FHRS 3.

5.18 In 2017/18 the Service is charging businesses who request to be re-rated following improvement works. Prior to this the business had to wait between 3-6 months from the date of application for a re-rating inspection. The business can apply at any time and more than once.

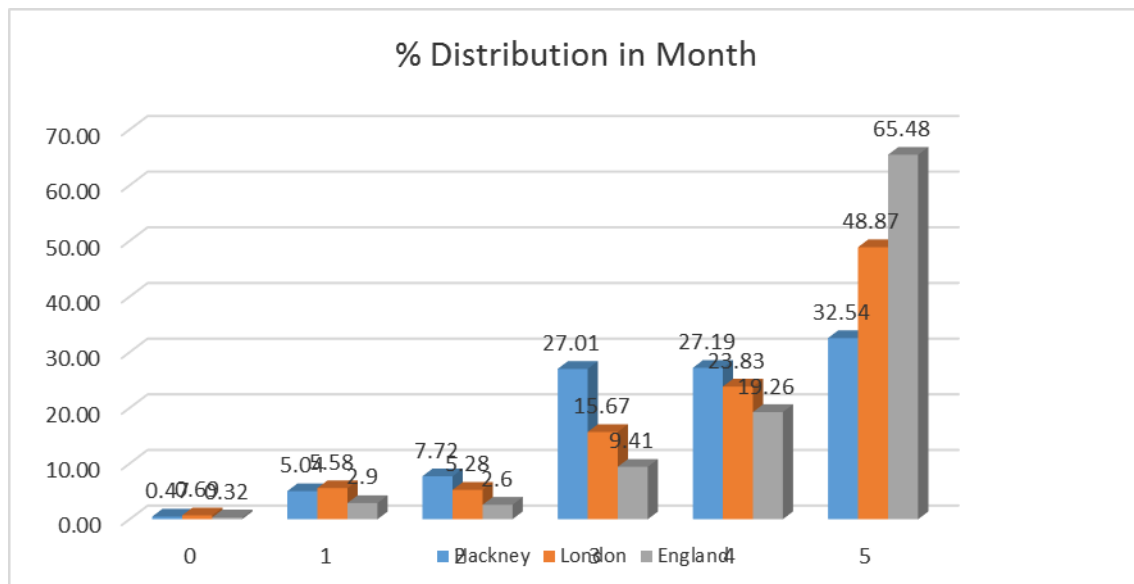
This service will encourage businesses to adopt this new way of working as a means of raising standards.

5.19 Business rated 4 and 5 are those business that are compliant across a range of food hygiene parameters in terms of hygiene in the business, the structure of the business and the confidence in management demonstrated at the time of the inspection. In the period 1st April 2017-31st March 2017 the number of premises rated FHRs 4 increased by 84 and those with a rating of 5 increased by 85.

Table 4

	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17
0	8	10	11	12	12	13	16	16	17	13	12	11
1	143	145	146	136	133	129	127	118	117	122	117	117
2	201	203	201	204	191	193	182	183	186	180	174	179
3	608	601	606	609	580	623	626	626	624	622	624	626
4	576	577	584	596	562	597	605	608	608	613	619	630
5	669	671	677	687	640	698	705	723	718	725	737	754

The graph below shows the distribution of premises by month (as a %) in Hackney compared to local (London) and national trends.



5.20 **Food Standards Inspection Programme** – This concentrates on compliance with composition, presentation, labelling requirements and management controls. Food standards inspections are also carried out on a risk based programme. The Code of Practice specifies the frequency of inspection. Premises that fall under a category A rating may be dealt with via the alternative enforcement strategy. The table below shows progress for food standards inspections. Similarly the inspections due include a considerable backlog.

Inspection Rating	Number of food standards inspections due	Number of inspections completed	RAG	The frequency of inspection for Category: A: every 12 months B: every 2 years C: every 5 years
A	19	19	Green	
B	558*	304	Yellow	
C	156*	199	Yellow	
New/Unrated premises carried over from 2015/16	24	24	Green	

*relates to those premises subject to non-official interventions

- 5.21 There has been an overall decrease in enforcement activities mainly due to improved engagement with businesses and the positive effects of face-to-face contact and support by ward officers out on the district. The table below shows a comparison of enforcement activities undertaken since 1st April 2016:

Enforcement action	2015/16 (end of yr)	2016/17 (end of yr)
Total number of Food Hygiene Written warnings issued	973	580
Hygiene Emergency Prohibition notices (formal closure)	0	4
Voluntary Closures due to Food Hygiene imminent risk	4	3
Premises receiving a Hygiene Improvement notice	43	39
Seizure/detention of food	7	0
Prosecution of food premises	3	0
Total	1030	626

5.22 The table below shows level of other activities undertaken by the team are shown in the tables below:

Types and Numbers of Service Requests received 2016/17	
Type of Service Request	Total
Food Registrations	229
Licensing Consultations	218
Business requests for advice/information	201
Food hygiene complaints	137
MST applications	98
Alleged food poisoning	94
FHRS enquiry	64
H&S complaints	65
Pest complaints	53
Food premises complaints	39
Food standards complaints	37
Foreign body complaints	29
Food labelling complaints	20
Smoking complaints	9
Drainage complaints	9
FOI	6
Food hazard warning	6
Miscellaneous	17
Other	9*
Grand Total	1336

* Others include: - singular enquires on accumulation of rubbish, trading on the highway, bereavement, stray animals, non-defined enquires etc.

6. TRADING STANDARDS SERVICE PLAN UPDATE

6.1 The Trading Standards service delivers on both statutory and Mayoral priorities as well as delivering targeted project work of National and local importance. These projects are determined by the Chartered Trading Standards Institute, by monitoring trends and fulfilling local priorities.

Statutory Priorities

6.2 Inspections

6.3 Table 1 below sets out the number of proactive enforcement visits undertaken by the service with 151 high risk visits being undertaken and the target 100% inspection rate being achieved.

Table 1

High	Upper Med	Lower Med	Low	Total
151(100%)*	179(88%)#	30(5%)+	66(1%)**	426

* a high risk premises is described as selling products subject to safety and age restricted legislation e.g. knives

#an upper medium risk premises is described as selling high value goods e.g. a car dealer

+ a lower medium risk premises is one that that is subject to pricing compliance e.g. a newsagent or similar commercial outlet

** a low risk premises is a business subject to compliance with the Companies Act 2006

6.4 The service plan for 2016/17 made a commitment to inspect all high risk premises and this was achieved.

6.5 The Consumer Rights Act 2015 amended the powers of entry of for Trading Standards officers. The Act requires the Service to give 24-hours' notice before visiting a business to undertake a formal inspection. This has resulted in risk based inspections as well as carrying out intelligence led projects. The amended powers of entry and has led to a reduction in the overall number of visits conducted and reduced the ability to pick up potential infringements as prior warning has to be given.

6.6 **Weights and Measures**

6.7 Officers conducted 84 visits in relation to weights & measures and pricing. This work is undertaken to ensure that customers are not defrauded in terms of short measure. Traders have been advised to ensure the weighing indicators of the scales are visible to customers to help ensure weights are clearly understood.

6.8 **Animal Feed**

6.9 The service has 23 registered animal feed premises. In 2016/17 seventeen premises were visited. The Service will ensure that 100% inspections due will be completed in 2017/18.

Mayoral Priorities

6.10 The Service delivered on two of the Mayoral priorities as set out below.

- Mayor's priority 1 - The service tackles inequality by protecting vulnerable groups such as the elderly and young by investigating doorstep crime complaints and conducting age restricted test purchases.
- Mayor's priority 2 - The service processes a large number of complaints and service requests and specialises in Proceeds of Crime (POCA) work that delivers an income to the council whilst removing the financial benefits for criminals.

Age Restricted Interventions

- 6.11 The service has met the target of a minimum of 20 test purchase visits for knives, alcohol, fireworks for the year. Eight-five premises were visited during this period and some of the outcomes are set out in table 2 below.

Table 2

Product	No of Sales	Outcome
Alcohol	6	6 penalty notices
Fireworks	0	N/A
Knives	8	5 Warning letter 2 BTEC training course 1 prosecution – the trader was fined £375 plus a victim surcharge of £37 and costs of £1946.
Acid	12	8 premises signed up to voluntary agreement.

- 6.12 It is illegal to sell an age-restricted product to someone under 18 years of age and the Service will take enforcement action against those businesses and traders that break this law. In addition the protection of children from harm is one of the Licensing objectives, supported by Service in its capacity as a Responsible Authority.
- 6.13 Trading Standards hosted the first “Knife Sales Seminar” in June 2016, and retailers from the Victoria & Homerton wards were invited to attend. The presentation covered a wide range of topics, including an explanation of the legislation around knives, best practice, and the role of the Metropolitan Police and Trading Standards.
- 6.14 Warning letters were also issued to the traders that had sold knives during test purchase operations.
- 6.15 An education package has been introduced to support small businesses offering them a BTEC Level 2 Award in “Preventing under Age Sales”. The option to participate in this scheme is given to a business if it is their first offence.
- 6.16 The service carried out a series of action days in search of illegal tobacco. On the first day foreign cigarettes and 0.15 kg of hand rolling tobacco was seized.

- 6.17 During the second action day five premises were visited focussing on counterfeit and/or non-duty paid products. Three premises were found in possession of illegal products which were subsequently seized.
- 6.18 A third action day was arranged to establish the supplying of illegal tobacco. Premises were selected using intelligence available to the service. Officers were assisted by trained sniffer dogs. Six premises were visited and one premises in Hoxton was found to have illegal product. Twenty six packets of cigarettes were seized.
- 6.19 To address the increase in activity window stickers for traders that sell alcohol and tobacco have been developed to display in shops to deter both customers asking for and the traders supplying illicit alcohol and tobacco. Traders are being asked voluntarily to display the window sticker saying 'we don't buy illegal alcohol and tobacco'.
- 6.20 To further develop this area of work the North East London Illegal Tobacco group met in June 2016 to discuss communication strategies for promoting the enforcement against illegal tobacco.

Reducing the impact of scams on vulnerable groups

- 6.21 Trading Standards continue to support vulnerable adults who are fall victim to scammers. Officers provide and fit call blocking devices which block certain unsolicited calls from the receiver.
- 6.22 The Service also returns cheques which have been sent by consumers to rogue traders but intercepted by the Scambusters Team. Ten cheques have been returned in 2016/17. Scambusters are a national organisation that investigate large scale fraud cases that they receive from various intelligence sources i.e. the Police, Citizens Advice Bureau, Trading Standards Teams and the public.

Rogue Traders/Operation Broadway

- 6.23 Trading Standards has been carrying out a series of joint agency visits to virtual offices as part of Operation Broadway which is a multi-agency project tackling investment fraud in the City. Officers found that while broadly compliant businesses needed advice on due diligence under the Money Laundering Regulations 2017 and the London Local Authority Act 2007.
- 6.24 Under the Regulations the virtual offices must have proof of both the identity of the persons and residential address for those persons intending to use the virtual post box address.
- 6.25 Of particular concern is a trader based at Wenlock Road, London N1 7TA, the source of a high volume complaints concerning rogue traders. The address is used for mail forwarding and company registration business. The company had rapidly become a market leader and has been registering 30,000 new businesses every year. The Service has worked closely with the company in an attempt to resolve the issues using a multi-agency approach including the Police and HMRC.

- 6.26 The company has responded positively by putting in place an action plan to address the various compliance issues.

Unsafe Cosmetics

6.27 As a result of proactive work in this area, a number of traders were found guilty of selling banned cosmetics containing hydroquinone and mercury, high dose prescription only steroid creams and counterfeit cosmetics. Sentencing took place on 26 May 2016 with the following results:-

- Defendant one
 - 10 weeks custodial sentence suspended for 2 years
 - Company disqualification of 4 years
 - Community Service 100 hours
 - Costs £10,000
 - Fine £2000
 - POCA £3661.59

- Defendant two
 - 12 weeks suspended sentence suspended for two years
 - Community Service 100 hours
 - Costs £10,000
 - Fine £3000
 - POCA £99 confiscation

- Defendant three
 - £1000 fine

- Defendant four
 - £500 fine

Financial Investigations

6.28 The Service has three accredited financial investigators undertaking investigations for other Services within the Council as well as other local authorities. The service is currently working on cases for the Planning department and Barking and Dagenham's Trading Standards service.

Additional Service Priorities

National Minimum Wage

- 6.29 The National Minimum Wage (NMW) is the minimum pay per hour workers are entitled to by law depending on a worker's age and if they are an apprentice.
- 6.30 On the 1st April 2016 the Government's introduced the National Living Wage for all working people aged 25 and over, currently set at £7.50 per hour. The current National Minimum Wage for those under the age of 25 still applies

- 6.31 In response to this 800 nudge-letters were sent to traders in Hackney. These letters were reminders to traders about their duties with respect to the national minimum wage and the national living wage.
- 6.32 Of the 800 letters sent 144 calls were received from Hackney employers and fifty-seven disclosures were made with most stating they had nil arrears.
- 6.33 In addition four webinars were held in Q4 of 2016/17 by the HMRC to reinforce this initiative.

Shisha Enforcement

- 6.34 The project was not undertaken in 2016/17 as there was a focus on visits to premises selling corrosive products. A Shisha project is scheduled to be carried out with Environmental Health colleagues in November 2017.

Lettings Agents

- 6.35 Officers visited 111 lettings agent in 2016/17 to ensure that fees were displayed on the business website and inside the premises.
- 6.36 Of the 111 visits, 45.9% of the businesses had the fees displayed on their website, 16.2% of the businesses had no website and 20.7% were found not to have fees on their website or on the premises.
- 6.37 Officers were satisfied that some small businesses were keen to address issues instantly at the time of visit as they did not have to discuss or gain approval from head office. The larger businesses had the benefit of information filtering down from their head offices and were generally all compliant.
- 6.38 Follow up action has revealed that the level of compliance on one or both of the two requirements was higher than expected with the smaller and independent companies needing more guidance to bring them to compliance.
- 6.39 Further follow up work is planned for 2017/18 in anticipation of new legislation that will ban letting agents from charging fees to prospective tenants. It is expected that the bill will come before Parliament sometime in 2018.

Winter Warmer Event

- 6.40 The Winter Warmer event was held by Hackney Council for over 55s at Stoke Newington Town Hall N16 0JR on Thursday 26th Jan 2017.
- 6.41 This is a popular event for this age group attracting over 600 residents. The aim of the event is to provide residents with advice on keeping warm, keeping fit, eating healthy, learning how to be involved in the digital world that we live in and saving money during the winter months. Trading standards provided advice to minimise the risk of our elderly citizens from becoming victims of scams and rogue traders.

Consumer Complaints and Service requests

- 6.42 In 2016/17 there were a total of 3128 consumer complaints and service requests received from members of the public compared to 3229 in the previous year.
- 6.43 This fall of 3.23% in the number of complaints received reflects a national reduction in the number of complaints received by the Consumer Advice Bureau (CAB) who receive the majority of complaints on behalf of trading standards.
- 6.44 There has also been a 13.5% decrease in the number of service requests received by the service. In 2016/17 there were 333 and, for the same period in the preceding year, there was 385.
- 6.45 The Service investigates a range of consumer complaints received from the CAB. Table 3 below provides a breakdown of the complaints and service requests received in 2016/17:-

Table 3

Type of complaint/service request	Number of requests received
Complaints received from the CAB	2680
Licensing requests received as responsible authority	208
Other type of complaints	115
Requests from public/other body	103
Notification of weights and measures verification	6
Animal feed registration	1
Other requests	15

7.0 Business Regulation Unit

- 7.1 The new Community Safety, Enforcement and Business Regulation service includes the creation of an Integrated Partnership Unit and Intelligence Hub. This area brings together all strategy, partnership, partnership support and intelligence capabilities, undertakes and coordinates the strategy and partnerships actions for the entire service creating a consistent joined up approach to strategy development and delivery, also enabling through capacity and efficiency improvements the simplification of how this service collaborates corporately with partners and stakeholders and between services and disciplines.
- 7.3 It also brings together all performance management and enables implementation of effective joint tasking based upon strong integrated evidences. It also enables simplification of reporting and data management processes and ensures that all functions benefit from analytical expertise.
- 7.4 The restructure also created a Business Regulation Unit which brings together Food Safety, Health and Safety, Environmental Protection (dealing with noise and odour issues in commercial premises), Licensing

and Trading Standards into one place under a single management structure. It captures and delivers what's best about specialist service delivery but also enhances this with greater joint working and flexibility, creating greater capacity to address demand and solving entrenched and complex issues and problems.

- 7.5 This serves to reduce duplication, simplify customer processes and encourage and enable a partnership and prevention relationship to be formed with businesses which will see a rebalancing in activities from tick box inspection and punitive action to positive support mechanisms supporting businesses to self-regulate and enabling a focus on tackling the worst examples of non-compliance in a more effective way.
- 7.6 The new approach also reduces the regulatory burden upon business by aligning and joint tasking of services, particularly in business regulation, will ensure the elimination of unnecessary multiple visits to premises. Before enforcement takes place the enforcement service looks at options to support the business through the plethora of legislative restrictions to enable them to set a course to compliance without the need to recourse to formal enforcement action. This approach benefits all businesses but particularly new businesses and it also reduce demands on the enforcement service making it more efficient

8.0 PERFORMANCE AGAINST PRIORITIES - APPENDIX 1

- 8.1 The report provides a 12 month update against the priorities for 2016/17 in respect of Food Safety and Trading Standards (see Appendix 1).

9.0 COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 9.1 This report requests the Corporate Committee to note the contents of the Food Law Enforcement Service Plan (FLESP) 2016/17 and the Trading Standards Service Plan Service Plan 2016/17 and Note the level and scope of work being carried out to meet the requirements of the respective plan.
- 9.2 As the performance data contained in this report and appendices is retrospective, there are no immediate financial implications.
- 9.3 The total budget provision in 2017/18 for Environmental Health and Trading Standards is £1,243,723. The service aims meet the cost of the current work programmes from this budget.

10.0 COMMENTS OF THE INTERIM DIRECTOR OF LEGAL

10.1 One of the terms of reference of Corporate Committee is to develop, review, monitor and maintain a strategic overview of the Council's regulatory function. This report falls within that term of reference.

10.2 All legislation quoted within the body of this report is correct. There are no immediate legal implications arising from this report.

APPENDICES

Appendix 1 - Performance Against Priorities 2016/17 update

Appendix 2 - Food Law Enforcement Service Plan (FLESP) 2016/17

Appendix 3 - Regulatory Services Plan Service Plan 2016/17.

BACKGROUND PAPERS

None

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Performance Against Priorities 2016/17 update

Table 1. Food Safety and Trading Standards

Item no	What are the priorities?	Where to intervene?	Update	RAG
1.	Develop the Food Law Enforcement Service Plan		Completed	
2.	To submit the LAEMS		Completed	
3.	There is a high level of imported foods from non-EU countries entering the borough, either directly imported by businesses or by third parties located elsewhere. Some of these foods can be illegal (i.e. banned from importation, processed in a way that contravenes EU legislation, or they do not comply with compositional or labelling requirements).	To use intelligence led information to target illegal food activity in the borough and using historical knowledge to concentrate efforts on Ridley Road market.	<p>The service took part in a five borough co-ordinated action day on the 30th April 2016 and visited local butcher's shops to ensure that they were not handling and selling unfit or illegal meat. Hackney focussed on Ridley Road. Four premises were visited and although no food fraud or illegal meat was found, further action days are planned for the remainder of the year.</p> <p>A further action day took place on the 21st October 2016. Eight premises were visited, 4 butchers and 4 African retailers. No food related offences were noted at the butchers shop. However at the four African retailers goods were for sale that are prohibited on the <i>list of increased levels of official control on imports of certain feed and food of non-animal origin</i> produced by the European Union some non-contraventions were noted for incorrect labelling of loose food products, meat products without the correct documentation and the sale of Palm Oil. All goods were surrendered and removed from the premises. The food businesses operators were warned and informed of the correct checks that need to be implemented to ensure goods are only imported from recognised EU establishments</p>	
4.	The number of food businesses in the borough, subject to food hygiene controls, has risen by approximately 17% from 2,535 in April 2015 to 2954 in April 2016. The number of new premises are of particular concern to the Food Safety Service as they place a greater demand on the Service.	The Service manages a programme of inspections for all new/unrated food premises to ensure their hygiene compliance is assessed.	New applications are managed to ensure that only those businesses that are operating are maintained on the database for inspection. At the end of Q4 2016/17 there were 72 unrated premises. The Service has determined that no more than 70 unrated premises should be on the database at any one time. The Service is confident that figure can be maintained,	
5.	Hackney participates in the National Food Hygiene Rating Scheme (FHRS). The scheme is designed to give the public information about local	All high risk premise rated category A-C are visited every 6-18 months.	Data is uploaded to the FSA National website every fortnight. Rating can be viewed at www.ratings.gov.uk	

	food businesses so that they can make informed choices about where they eat locally (and nationally).			
6.	Broad Compliance with Food Safety Legislation	The end of year target for the service is to have 80% of all businesses inspected to be broadly compliant.	At the end of Q4 85% of premises were broadly compliant with food hygiene.	
7.	This Service was awarded a grant by the Food Standards Agency (FSA) to tackle food fraud in Hackney. The project was set out over five phases and started in April 2014. Phases 1 & 2 of the project were completed. However, the project was unable to move to phase three due to operational issues and the project stalled in 2015.	The Service will continue to routinely deal with the occurrence of food fraud in the Borough, undertaking enforcement activities to remove illegal food from the food chain. This takes place during routine food inspections, following a complaint or service request or as part of proactive enforcement days undertaken by the Service.	<p>A meeting with the FSA in April 2016 agreed a way forward that both sides would work to. However after further review it was considered that the project in the form of the FSA submission was not the way forward for Hackney. Action days held this year in April and October 2016 have not revealed any issues of concern. The work completed in phases 1 & 2 has stood up well and the traders have been adhering to the advice given. In addition, action days held since the project began have also not revealed an issue with food fraud in the borough. Further, the recent intelligence received by the food fraud officer has also revealed that food fraud is not actively taking place in Hackney. The EH team have a presence in the Ridley Road market in the form of a EHO responsible for Dalston ward and this has acted as a deterrent to those considering trading in illegal meats.</p> <p>The way forward for Hackney is to broaden the food fraud scope to include alcohol, rice, fish, olive oil, etc. Also the subject needs to be integrated in to the work streams of other teams such as Trading Standards, Licensing Enforcement and Public Health.</p> <p>Although the FSA funded project has not progressed the Service have been proactively undertaking a programme of action days specifically targeting traders in Ridley Road, and butchers and importers to ensure compliance.</p> <p>A work programme is currently being developed with a view for inclusion the work streams of the departments highlighted in 2017/18.</p>	
8.	This Service will continue to support the work of	This project will look to target	This project is led by Trading Standards and to date there has	

	HMRC, and work with partners on observance of National Minimum Wage in Hackney to raise awareness with employers and workers to ensure the payment of at least the National Minimum Wage (NMW).	business premises where there is a suspicion that the NMW is not being paid for example Vietnamese wholesalers/retail businesses/restaurants, Turkish restaurants and nail bars.	been no progress. Following a meeting with HMRC officers in April 2016, 800 nudge letters were sent to traders, to remind traders of their duties with respect to the national minimum wage and the national living wage. Letters were sent to the remaining traders in September. A series of Webinars are planned for later in the year	
9.	Participation in Food Safety Week (week beginning 4 th July 2016).	Provide education, advice and support to target consumer groups and food businesses	The theme for food safety week was about food waste. During Food Safety week, officers visited a number of luncheon clubs and nursery's to inform the users on the importance of food waste and understanding durability date coding. An event was also held at Tesco supermarket, Mare Street in conjunction with colleagues from Waste Enforcement where the message was conveyed to customers of Tesco.	
10.	Use of the Training Centre to improve food hygiene broad compliance.	The training centre will support businesses by making food hygiene training accessible to food businesses in the borough and particularly to those that are not compliant or are subject to enforcement action due to the serious risks of their food operation.	104 food handlers from businesses in Hackney have completed the level 2 in Food Hygiene to date. A Service Level Agreement with the Hackney Learning Trust (HLT) has been established to deliver food hygiene training through to July 2017. To the end of March 2017, 90 HLT colleagues have been successfully trained	
11.	Primary Authority Principle (PAP)	This Service will look to engage businesses to establish a PAP to support businesses, raise standards and ensure a consistent approach to enforcement.	This Service held discussions with London Union the organisation responsible for Street Feast, five Points Brewery and Climpson & Sons. The businesses decided not to take up the offer to formalise a PAP. The Service will continue to reach out to further organisations in the anticipation of realising a formal PAP agreement.	
12.	Businesses Consultation	To engage businesses in Hackney who are looking to improve their businesses and to raise their compliance levels	This new role has is providing consultancy support to 12 businesses. Providing Safer Food Better Business coaching, assistance with Hazard Analysis Critical Control Points (HACCP) development, advice to architect on new kitchen plans and food hygiene training.	
13.	Additional visits will be undertaken where follow		414 revisits completed in 2016/17.	

	up/formal action is required as a result of serious contraventions found at the time of a primary inspection.			
14.	It is expected that the Service will receive over 1000 service requests in 2016/17		1345 service requests have been received in 2016/17	
15.	Food sampling will be carried out in a programmed way, in response to complaints and referrals but also during or following inspections and in accordance with the food sampling policy procedure.		85 samples were taken in 2016/17.	
16.	The Service is committed to investigating all food poisoning outbreaks and notifications occurring in the borough in accordance with Public Health England/Local Authority Joint Infectious Diseases Protocol and Procedure.		325 Infectious Disease notifications received in 2016/17.	
17.	The Service has arrangements in place to ensure that it is able to implement the requirements of Food Law of Code Practice in respect of food alerts.		Food alerts issued by the Food Standards Agency have not require a response from the Service.	
18.	The Borough hosts a large number of annual festivals and other outdoor events which attract community caterers and a large number of temporary caterers, pop-ups and food producers, all of which require vetting and inspecting as necessary.	Participation at HEAT to consider all large scale events that take place in Hackney.	5 HEAT meetings have taken place covering events held in Queen Elizabeth Olympic Park and other smaller events held throughout the Borough that have enabled interventions to ensure the provision of safe food.	

Table 2. Trading Standards

Item no	What are the priorities?	Where to intervene?	Update	RAG
1.	Underage sales programme	Maintain the reduction in underage to combat anti-social behaviour and to promote the health and well-being of young people.	Trading Standards visited 100% of the high risk premises. The target was achieved. Overall 426 visits were conducted.	
2.	Tobacco Control	Reduction in illegal sales and the use of tobacco in support of government efforts to encourage smoking cessation. To participate in appropriate/related health initiatives.	Three Action days were conducted with Wagtail dogs. Two Wagtail operations have been conducted. The Shisha operation has been deferred until November 2017.	
3.	Animal Feed	Ensure any animal feed issues are dealt with effectively and efficiently.	A database of registered premises has been created however and the service did not visit six of the premises.	
4.	Consumer Advice and Education	Promote the Service and deliver advice to residents and businesses. Role play event. The theme would be electrical safety. Respond to consumer complaints and service requests.	A Winter Warmer event was held by Hackney Council for over 55s at Stoke Newington Town Hall N16 0JR on Thursday 26th Jan 2017. Trading standards provided advice to minimise the risk of our elderly citizens from becoming victims of scams and rogue traders.	
5.	Product Safety		Two traders were found guilty of selling banned cosmetics containing hydroquinone and mercury, high dose prescription only steroid creams and counterfeit cosmetics.	
6.	Tackling Counterfeit Goods	Reduce the level of non-compliance and raise awareness through appropriate publicity.	Monitoring of Ridley Road and Hackney Road is ongoing. In addition online compliance is also being monitored.	
7.	Use of communications to raise awareness of the work of the service and provide improved	Contribute articles to suitable internal publications.	One article published regarding Gunners off licence. London trading Standards conducted various media events	

	information for residents and businesses.	Website information to be maintained and updated as necessary. Suitable information for press releases to be passed to the Communications Team.	on the issue of skin lightening including all day television coverage. Prosecution of 2 high profile skin lightening suppliers appeared in media.	
8.	Partnership working - opportunities to be identified for joint working with external stakeholders and also for external funding	Raise service profile by attending relevant partnership meetings, improved stakeholder engagement and external/match funding achieved.	A consistent presence at inner LOTSA meetings has been achieved.	
9.	Education of identified vulnerable groups in conjunction with partner agencies	Education of residents thereby reducing the impact of scams and doorstep crime.	As stated Trading Standards participated in Winter Warmer event.	
10.	Carry out Licensing checks	Ensure compliance with licensing principles.	The service are processing the Licensing applications as a Responsible Authority. They are mostly processed on time.	
11.	Co-ordination with the Licensing Team	Improved working between teams in the division.	The service have not carried out any joint activities with the licensing team. Planned joint action scheduled for following year.	
12.	Service Improvement	Improved internal processes	Procedures and process maps have been developed.	
13.	Complaints and service requests	Respond to complaints and service requests.	From April 2016 – March 2017 there were a total of 2795 consumer complaints received from members of the public. This is down from 2844 for the previous year. The Service uses the Intelligence Operating Model and reviews the complaints to identify projects such as lettings. Business requests have been processed within target of 10 working days. Officers recording on Civica APP will be improved by the use of new codes which have been developed There has been a decrease in the number of service requests received by the service in the last two years. In 2016/17 year there were 333 and, for the same period in the preceding year, there was 385.	
14.	Visits	Visit all high risk premises due for an inspection.	151 high risk inspections carried out. This target has been met.	



Food Law Enforcement Service Delivery Plan 2016/17



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1. INTRODUCTION

This is the London Borough of Hackney's mandatory annual plan which sets down how the Council will undertake enforcement of food safety legislation. The Plan follows the national template as directed by the Food Safety Agency (FSA), through the framework agreement agreed with Local Authorities. This plan refers to the food law enforcement functions undertaken by Hackney's Neighbourhood and Housing Directorate.

The objective of the plan is to demonstrate how the service ensures food safety in the Borough. The Environmental Health Service undertakes the Food Safety Service and aims to deliver an intelligence-led, risk-based approach to business regulation that achieves a high level of consumer protection.

This plan is a public document and will be published on the Borough's website. It sets out the aims and objectives of the direction for the delivery of food safety in Hackney for 2016 – 2017, in line with the Mayor's Priorities.

The performance of the Food Safety Service will be measured against the fulfilment of this Plan and the percentage of broadly compliant premises within the Borough. Currently 84% (1 April 2016) of food premises in Hackney are broadly compliant in respect of food hygiene. This is up from 79% in 2015/16. The Service has an aspiration to increase this further by 5% by extending the business consultant's role, seeking further efficiencies in the inspection process and with targeted initiatives in conjunction with other council services, community stakeholders and external agencies.

The number of food businesses in the Borough subject to food hygiene controls has risen from 2,535 in April 2015 to 2,954 in April 2016. It is anticipated that this increase in the number of food businesses will continue. This is a particular concern to the Food Safety Service as this places a greater demand on the Service to ensure premises are 'fit for purpose' and food hygiene compliant.

Significant improvements have continued to be made in performance and quality following the Food Standards Agency audit in June 2010 the Food Safety Service the following highlights were achieved:

- Improved rate of compliance for food hygiene in Hackney, with 84% of premises broadly compliant has been steadily increasing from April 2011 (57%);
- Robust management of unrated premises resulting reduced numbers of unrated premises in the Borough to 24 (at the beginning of April 2016), from 145 (at the beginning of April 2014);
- Implementation of a business consultant role engaging eight businesses paying for a range of services to address compliance issues;

- Three successful prosecutions of food businesses, including one for the sale of illegally processed meat and one that was heard over two weeks at Snaresbrook Crown Court relating to pests and food related issues;
- Increased the number of FHRS 5 rated premises from 583 to 665 in 01/04/2015 – 31/03/2016;
- Decreased the number of FHRS 0 (zero) rated premises from 22 to 9 in 01/04/2015 – 31/03/2016;
- Further development of the training centre with contract with the Learning Trust secured to deliver Level 2 food hygiene training to employees working in school kitchens.

The Food Safety Service continues to use a range enforcement tools to improve and maintain food hygiene and safety compliance and to deliver a risk based approach. The service continues to move away from an “inspection for inspection’s sake” approach allowing for a lighter touch treatment of those premises that are broadly compliant and providing advice and education. Where necessary enforcement of those premises that are not broadly compliant will be taken.

This approach is reflected in the priorities for 2016/17 which means that resources will be targeted at those premises posing the highest risk. Last year 100% of the higher risk food hygiene and food standards premises were inspected in line with the Food Law Code of Practice. The Food Safety Service also continues to work in partnership with external and internal services to enable resources to be targeted as effectively as possible.

The Service will have a number of challenges in 2016/17 and over the following 3 years, managing the very different and growing demands of Government agencies. Along with the cross cutting review and local priorities the service will be challenged to ensure the provision of safe food, and the need to use resources differently, and deliver the work innovatively and collaboratively in order to maintain and increase inspection levels. Another challenge will be to drive up hygiene compliance along with the need to support and assist the increasing numbers of new business start-ups and pop-ups due to the growth of the hospitality economy in the borough.

The current discussion to reduce costs across the Council will also have a bearing on the effective delivery of this service.

1.1. Highlights from 2015/16

1.1.1. Introduction of partial inspections for food hygiene and standards that are essentially focused topic-based inspections and undertaking food sampling as part of alternative enforcement strategies. This more targeted approach will utilise the full range of interventions available under the Food Law Code of Practice (April 2015) to the delivery of the inspection programme.

1.1.2. The number of five rated premises in the borough has increased, from 583 premises in April 2015 to 665 premises in March 2015. There has been a reduction in the number of zero rated premises, from 22 to 9, in the same period.

- 1.1.3. The percentage of broadly complaint premises in the borough has increased to 84%. The percentage of premises which are broadly compliant has increased significantly in the last five years, from 57% in 2011.
- 1.1.4. An inter-borough consistency exercise between officers from London Boroughs of Hackney and Waltham Forest was undertaken in 2015/16 at food premises in each local authority. This exercise identified matters of good practise and consistency of approach to the inspection and food hygiene rating scores.
- 1.1.5. Increase in the number of delegates attending level food hygiene training from 121 in 2014/15 to 208 in 2015/16, generating an income of £14,860.
- 1.1.6. 86% business customer satisfaction which was 11% higher than the overall target for Regulatory Services (75%).

2. FOOD LAW SERVICE AIMS AND OBJECTIVES

2.1. Aims and Objectives

How the Service Links to Corporate Priorities

Hackney's Vision: A place for everyone

Mayor's Priorities

Sustainable Community Strategy (SCS)

Corporate Plan

Corporate Delivery Plan

Divisional Business Plans

Service Area/Team Plans

Individual Appraisals

Mayor's Priority 1: Making Hackney a place where everyone can succeed, through a first class education, investment and jobs, and providing support to those who need it most.

Mayor's Priority 2: Making Hackney a place that everyone can enjoy, with clean, safe streets, excellent parks and public services and a great quality of life for all who live here.

Mayor's Priority 3: Making Hackney a place where everyone can contribute, through listening to residents, and involving them in the decisions we make and things we do.

The **2008-2018 Sustainable Community Strategy** has six priorities:

1. Reduce poverty by supporting residents into sustainable employment, and promoting employment opportunities.
2. Help residents to become better qualified and raise educational aspirations.
3. Promote health and wellbeing for all, and support independent living.
4. Make the borough safer, and help people to feel safe in Hackney.
5. Promote mixed communities in well-designed neighbourhoods, where people can access high quality, affordable housing.
6. Be a sustainable community, where all citizens take pride in and take care of Hackney and its environment, for future generations.

The Food Safety Service contributes to the delivery of the following local policies and plans:

Environmental Health Service: Food Safety Service - undertakes a range of food hygiene, food standards and health and safety interventions across all Hackney food businesses including the provision of advice and information. The team also carries out infectious disease investigations, investigation of food complaints and sampling work. **Mayor's Priority 2 Sustainable Community Strategy priority 3 & 4**

The Service aims to:

- work with businesses to protect consumers from harm by ensuring that food produced, distributed and marketed in the borough is safe and wholesome for the consumer to eat. This will be measured by an increase in broadly compliant businesses, increasing the number of FHRS rated 3-5 premises and a reduction in FHRS rated 0-2 premises
- work with businesses to ensure that food produced, distributed and marketed in the borough meets labelling and compositional requirements and is presented so that consumers are not misled as to its nature, substance or quality. This will be met by raising issues highlighted during visits to premises, acting on service requests and complaints, through promotional material where relevant and increasing enforcement for non-compliance following a graduated approach.
- deter, detect, investigate and disrupt fraudulent activity involving food, including the illegal importation of food. This will be measured by restarting the food fraud project, taking an active role in local, regional and national food fraud initiatives and meetings, by increasing the number of action days to disrupt potential fraudulent activities and increasing enforcement for non-compliance following a graduated approach
- prevent the spread of infectious disease and food poisoning and to investigate outbreaks by working with PHE, investigating notifiable disease in line with agreed protocols, participating in local, regional and national initiatives and meetings.
- provide advice and education to all sectors of the community on food safety matters and to meet the training needs of the businesses in Hackney with the promotion of in-house training courses and participation in national initiatives such as Food Safety week.
- promote the provision of healthier food to reduce health inequalities through the Healthy catering Commitment scheme.
- work with other Services, local authorities and agencies with common objectives to provide effective enforcement. This will be achieved by attending local, regional and national meetings, benchmarking with neighbouring authorities and by taking part in internal and external partner led initiatives.

- protect businesses from economic disadvantage caused by competitors not complying with food safety legislation and by following a graduated approach of enforcement

2.2. Food Safety Service Performance Indicators for 2016-17

2.2.1 The service have a number of key performance indicators and the performance of the service is measured against these.

PI Code	Short Name	Frequency of reporting	Directorate	Achieved 2015/16	Annual Target 2015/16	Data Only PI	2016/17 Target
NH PRS 030	% of service requests/consumer complaints about food businesses actioned within 10 working days	Quarters	Neighbourhoods & Housing	99.6%	95.0%	No	95%
NH PRS 034	% of Broad Compliance for food hygiene (accumulative)	Quarters	Neighbourhoods & Housing	79.0%	75.0%	No	80%
NH PRS 035	% of unrated food premises inspected excluding registered premises not yet trading	Quarters	Neighbourhoods & Housing	100.0%	100.0%	No	100%
NH PRS 036	Number of unrated food premises	Quarters	Neighbourhoods & Housing	27	N/A	Yes	N/A
NH PRS 046	Satisfaction of businesses with local authority Regulatory Services' inspections, visits, actions to ensure businesses are compliant	Years	Neighbourhoods & Housing	N/A – new for 2015/16	75.00 %	No	75%

3. BACKGROUND

3.1. Scope of the Food Safety Service

3.1.1. The Food Safety Service is responsible for food hygiene, food standards, public health activities and health and safety in all food premises, and involves both planned and reactive work.

3.1.2. Food Safety Service officers, hold dual warrants for food safety and health and safety, so when appropriate, health and safety hazard spotting and food standard inspections are carried out at the time of the primary food hygiene inspection.

3.1.3. The Food Safety Service provides the following services:

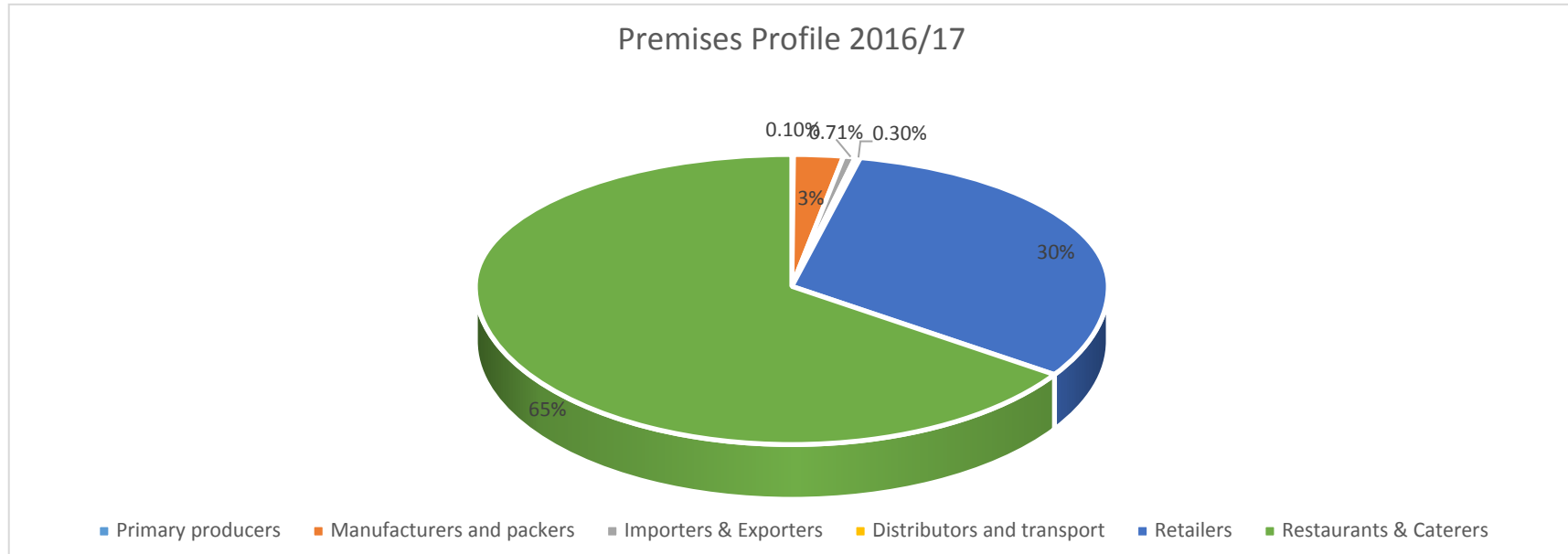
- Conducting official controls and other interventions at a frequency determined by Food Law Code of Practice and taking appropriate enforcement as necessary;
- Working with local food businesses to help them comply with their legal responsibilities and good hygiene practice, by providing information, advice and guidance;
- Prevention, control and investigating of infectious diseases, outbreaks, and food-related infectious disease and food poisoning associated with food businesses in Hackney in accordance with the joint infectious disease protocol, London Outbreak Management Plan 2012 and advice from the Consultant for Communicative Diseases Control (CCDC) and the Public Health Laboratory Service (PHLS), within Public Health England (PHE);
- Undertaking sampling in accordance with our sampling policy;
- Control of imported foods in accordance with centrally issued guidance;
- Investigating complaints about food premises and food purchased/provided by consumers in Hackney;
- Initiating and responding to food alerts about unsafe or unwholesome food and taking appropriate action as necessary;
- Providing advice on training in safe food handling and hygienic practices to food handlers working in Hackney, including running food hygiene training courses via our training centre.
- Processing applications for approval relating to the production of Meat Products, Minced Meat & Meat Preparations, Dairy Products and Fishery Products;
- Carrying out activities with regard to a food safety enforcement policy in line with the central government issued guidance;
- Undertaking food safety initiatives (Food Hygiene training and community events etc.).

3.1.4. The Trading Standards Service is responsible for Feed Law enforcement to ensure safe food enters the food chain.

3.2. Demands on the Food Safety Service

3.2.1. Premises Profile

3.2.2. Hackney has 2,954 food establishments (an increase of 419 premises since 2015/16). The majority of food businesses in Hackney are 'restaurants and catering premises at (65 %). These are mainly sole trading micro businesses a number which requiring support, advice and enforcement to ensure that the food they supply is safe to eat. This is reflected in the inspection programme and the demand for training. Food retailers make up the second most significant group (30 %), with the remaining 5% being made up of primary producers, food manufacturers, exporters, distributors and importers. A summary of the breakdown of the establishments is presented in the figure below:



3.2.3. Population Profile

3.2.4. The borough has a diverse population and is a culturally rich borough with a growing population of approximately 263,150.

3.2.5. Just over a third (36%) of respondents to the 2011 Census in Hackney described themselves as White British. The remainder is made up of black and minority ethnic groups, with the largest group Other White, 16.3% followed by Black African, 11.4%. The number of Black Caribbean people has fallen slightly in the past 10 years. They now make up 7.8% of Hackney's population compared with 10.3% in 2001. Hackney also has a well-established take Turkish and Kurdish community; At least 4.5% of the Hackney population is Turkish (derived from the 2011 Census). These populations are often captured in the White British/Other White, Other Ethnic Group or, for Turkish people, Arab. Other significant communities in Hackney include Chinese, Vietnamese and Eastern Europeans especially Polish, Western Europeans particularly Spanish and French people, Australasians and residents from North, and Latin America.

3.2.6. Hackney has a large and growing young population. Young people and children under the age of 20 make up a quarter of the population in Hackney (24.7%). The size of this group will continue to grow in line with overall population growth. People aged over

65 make up only 7.2% of the population. The Plan aims to control foodborne illness which poses a greater threat to the very young, older persons and some people with pre-existing health problems. The consistent and proportionate application of food law enforcement in the Borough will greatly benefit these groups and minimize any risks to them.

3.2.7. Outdoor Events

3.2.8. The borough hosts a large number of annual festivals and other outdoor events which attract community caterers and a large number of temporary caterers, pop-ups and food producers, all of which require vetting and inspecting as necessary. These range from several large events held in Queen Elizabeth Olympic Park to smaller churchyard-style events held throughout the borough.

3.2.9. Imported Food

3.2.10. As well as responding to complaints, referrals and notifications, the service carries out routine inspections and a range of proactive activities in premises across the borough and in street markets the deal with the trade in illegally imported foods.

3.2.11. The Food Standards Agency has placed greater emphasis on local authority Food Safety Services to ensure controls on third country imported food (i.e. food imported from countries outside of the European Union). There is high level of imported foods from non-EU countries entering the borough, either directly imported by businesses or by third parties located elsewhere. Some of these foods can be illegal (i.e. banned from importation, processed in a way that contravenes EU legislation, or they do not comply with compositional or labelling requirements). Examples of this include fruit, vegetable and nuts that appear on a monthly warning list issued by the Food Standards Agency for investigation. This area of work has a high impact on the Service due to number of businesses handling low cost imports to meet the high consumer demand. This food, however, gives rise to a risk to human health and where necessary it is removed from sale and enforcement action taken. The Food Standards Agency has supported the Food Safety Service in improving controls on third country imported food sold in the borough and to identify those imported foods that may have been brought into the borough illegally to protect public health and animal health. This has led to increased related work activities such as sampling and surveillance activities.

3.2.12. New Businesses

3.2.13. The number of food businesses in the borough, subject to food hygiene controls, has risen by approximately 17% from 2,535 in April 2015 to 2954 in April 2016. It is anticipated that this increase in the number of food businesses will continue, and is of a particular concern to the Food Safety Service as they place a greater demand on the Service, to ensure that these premises remain 'fit for purpose' and food hygiene compliant as they vary their supply of food. In addition, there are a number of temporary food businesses and 'pop ups' who open and then ceased trading within a short period of time. The service manages a programme of inspections for all new/unrated food premises to ensure their hygiene compliance is assessed.

3.2.14. Food Hygiene Rating Scheme

3.2.15. Hackney participates in the National Food Hygiene Rating Scheme (FHRS). The scheme is designed to give the public information about local food businesses so that they can make informed choices about where they eat locally (and nationally). As a result the

scheme allows for greater transparency for consumers and businesses the work conducted by Hackney Food Safety Service. It also recognises those businesses that are operating to a good standard and aims to provide an incentive to those businesses have not made food safety a priority.

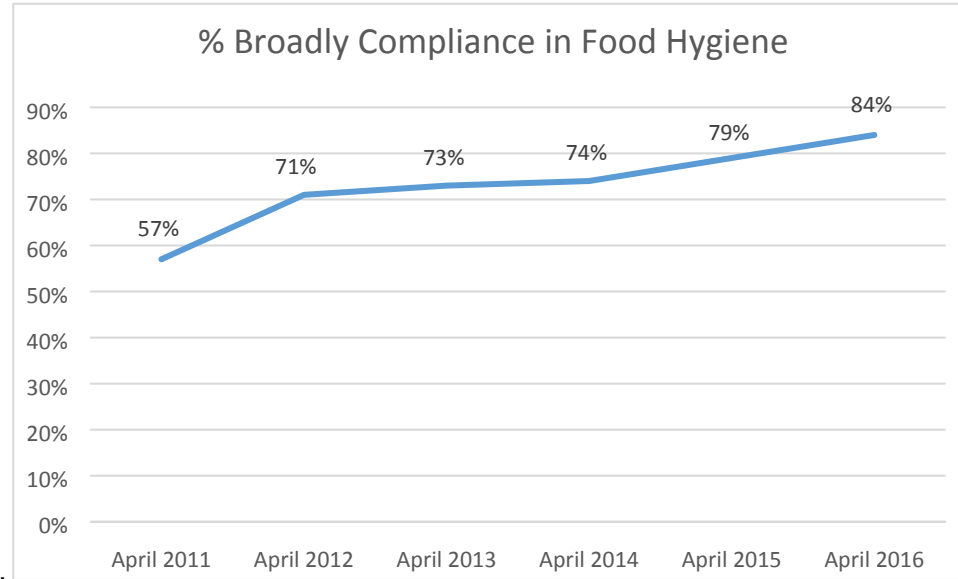
3.2.16. This Service is very supportive of this scheme and in 2015/16 Hackney took part in the Food Standards Agency consultation on the mandatory display of the FHRs rating sticker at food premises as a means of allowing consumers make informed choices, and driving up standards and the economy in Hackney. The scheme is likely to be made mandatory January 2017.

3.2.17. Following an inspection, a business can be given one of the following FHRs ratings and uploaded on the National FHRs website (<http://ratings.food.gov.uk>) which can be accessed by businesses and consumers.



3.2.18. Broad Compliance with Food Safety Legislation

3.2.19. At 1 April 2016, 84% of premises were found to be broadly compliant with food hygiene. This figure has increased from 79% in 2015/16. The most appropriate enforcement action will continue to be used deal with premises that are non-compliant following a primary inspection as a means of driving up full compliance and delivering sustainable improvements.



3.2.20. Food Fraud Project

3.2.21. The Service has routinely dealt with the occurrence of food fraud in the Borough, undertaking enforcement activities to remove illegal food from the food chain. This takes place during routine food inspections, following a complaint or service request or as part of proactive enforcement days undertaken by the Service.

3.2.22. This Service was awarded a grant of £170,000 by the Food Standards Agency to tackle food fraud in Hackney. The project was set out over five phases and started in April 2014. The 15-month project was developed to provide a strategy and protocol so that food fraud can be tackled in a proactive manner in borough. It will be delivered by working extensively with food businesses, multi-regulatory services and multi-agencies, local authorities across London and the consumers to bring about behavioural change and compliance in respect of food fraud to protect public health.

3.2.23. Phases 1 & 2 of the project were completed. However, the project was unable to move to phase three due to operational issues and the project stalled in 2015. A recent meeting with the FSA in April 2016 agreed a way forward that both sides would work to. Phase 3 is currently being reviewed with a view to restarting the project in Q2 2016/17. The revision is intended to look at further means of gather further intelligence on illegal activities and will involve further partnership working and intelligence gathering from other services, the use of directed surveillance, re-engaging with the traders to support and encourage whistle-blowing and engaging with the relevant traders associations and increasing enforcement to include greater number of action days

3.2.24. Additional Priorities and Partnership Working

3.2.25. North East Sector Food Liaison Group, London Food Coordinating Group and Association of London Environmental Health Managers: The Service participated in these Groups to improve consistency, share best practice as a means of obtaining up-to-date information on policy, regulation, guidance and enforcement.

3.2.26. Events/Partnership and Tasking Group: The Food Safety Service participated in the Hackney Events Action Team (HEAT) process; and will continue to undertake joint working initiatives with Community Safety, Licensing, Events and Public Realm teams and other internal and external organisations including the Metropolitan Police to tackle emerging issues and regulatory non-compliance.

- 3.2.27. Mobile Vending Operators: The Food Safety Service monitored of 'pop-ups', and mobile traders in the borough via the food premises registration process, complaints, referrals and surveys. Also, the Service liaised with the Markets team to ensure closer working partnerships as a means of improving food safety compliance in Hackney's Markets. The Service will continue to work closely with the Markets and Street Trading Services and deal with non-compliance through existing programmes and initiatives and by developing joint strategies.
- 3.2.28. This Service will continue to support the work of HMRC, and work with partners on observance of National Minimum Wage in Hackney to raise awareness with employers and workers to ensure the payment of at least the minimum wage National Minimum Wage (NMW): Hackney is committed to ensuring at least the NMW is paid by employers and the Service will continue to work with internal services and external agencies for this purpose. This will include joint operations at premises identified at potentially not meeting their obligation.
- 3.2.29. Liaison with other Organisations: The Council actively participated in liaison with a number of other local authorities, agencies and professional organisations in order to facilitate consistent enforcement, to share good practice and reduce duplication of effort.
- 3.2.30. Promotional Campaigns
- 3.2.31. The Service published advice and guidance through a variety of media to improve food hygiene and safety awareness within the food business community and the local consumer population and maintain a positive relationship with the media to raise the profile of the Food Safety Service.
- 3.2.32. The annual Food Safety Week (18 May – 24 May 2015) focussed on food poisoning caused by Campylobacter from chicken. Advice about not washing raw chicken, how to store it correctly, checking chicken is cooked properly and thorough cooking and washing of hands and utensils. The Food Safety Service will carry out food safety promotional work through participation in national and local campaigns and local projects, subject to available resources.
- 3.2.33. The Service raised the profile of the Food Hygiene Rating Scheme by encouraging the display of ratings and publicising the businesses achieving rating of 5 each month on Twitter.

3.2.30. Training Centre

3.2.31. The continuation of the Training Centre will also improve food hygiene broad compliance as this facility will support businesses by making food hygiene training accessible to food businesses in the borough and particularly to those that are not compliant or are subject to enforcement action due to the serious risks of their food operation. The training is promoted to food businesses through the Council website and the distribution of flyers to new and existing businesses. In 2016/17 the service will continue to offer training in Food Hygiene, but will look to expand the range of courses offered to include Allergen training, ½ day food hygiene refresher course and Level 3 Food Hygiene training. The Service will also look at developing a training programme for markets and pop-up vendors.

3.3. **Enforcement Policy**

3.3.1. The Food Safety Service recognises that whilst businesses look to maintain their reputation and wish to maximize profits. They also seek in most instances to be on the right side of legal requirements without incurring excessive expenditure and administrative burdens. So, in considering enforcement action, the service will assist food businesses to meet their legal obligations without unnecessary expense, whilst taking firm action that may include prosecution or other formal action, where appropriate, against those who disregard the law or act irresponsibly.

3.3.2. The published Food Safety Enforcement Policy, which follows a graduated approach, outlines all enforcement action to be carried out by officers in relation to food safety legislation, seeks to ensure that formal enforcement is focused where there is a real risk to public health and that officers carry out actions in a fair, practical and consistent manner. All authorised officers will follow the Food Safety Enforcement Policy when making enforcement decisions.

3.3.3. The Food Safety Enforcement Policy, takes account of the principles of the Enforcement Concordat, the Regulator's Code, FSA's guidance, and has regard to Crown Prosecution Service guidelines and Equality Impact issues. The Plan will allow the use of resources more effectively in assessing high risk activities whilst delivering benefits to low risk and compliant businesses.

3.3.4. The Service will generally seek to recover from businesses the costs associated with any additional official controls (such as emergency closures of food businesses).

4. SERVICE DELIVERY

4.1. Interventions at Food Establishments

- 4.1.1. The Food Safety Service will employ a full, partial or range of interventions to assist in raising the compliance rate and achieve broad compliance in food premises. Interventions include sampling, monitoring, surveillance, education or verification visits and should enable a lighter touch for compliant premises, and also enable additional resources to be targeted on non-compliant premises in line with the Regulator's Compliance Code.
- 4.1.2. Food hygiene inspections are the main driver for performance of the Food Safety Service, as a result of the priority setting and the scrutiny of the performance of the Service by the FSA, and local and national indicators. Inspections are allocated to officers who are appropriately qualified and authorized in accordance with the Food Law Code of Practice.
- 4.1.3. Following a primary inspection of each food business, a risk category is assigned based on the type of food business and the type of food it handles as well as the conditions found at the time of the inspection. Category 'A' and 'B' rated premises pose the greatest risk and these are therefore inspected at a greater frequency.
- 4.1.4. In 2016/2017, the numbers of Category A and B premises due for inspection, along with the new and unrated premises and 'not' broadly compliant C rated premises, will meet with the FSA's intervention strategy and their concept for risk based prioritisation for food hygiene inspections. The programme of inspection for food standard inspections will do the same.

4.2. Food Hygiene Inspection Programme

- 4.2.1. Food hygiene inspections are given priority in accordance with Food Law Code of Practice and associated Practice Guidance, issued by the FSA and in line with Hackney's Food Safety Service, Food Hygiene Inspections and Food Standards Procedures. Therefore, the majority of resources allocated to food safety are devoted to planned primary inspections for food hygiene purposes.
- 4.2.2. In accordance with centrally-issued guidance on interventions, the Service aims to inspect the highest risk premises category A-B premises and all not broadly compliant category C premises, and any not broadly compliant category D premises that are due. In addition new and unrated premises will be inspected within the annual inspection cycle. Backlogs will also be incorporated into the annual inspection cycle and addressed through use of a range of intervention tools and alternative strategies. All remaining category D premises will be addressed by other official controls, interventions or Alternative Enforcement Strategy (AES). Any increase in demand for food inspections has until now been met by adjusting the inspection target and directing resources so that new/unrated premises and higher risk category A and B premises are inspected as a priority, and includes any of these categories that form part of the backlog. This is likely to continue.

- 4.2.3. Partial inspections will be conducted on broadly compliant category C premises, in line with in the Food Law Code of Practice. This will reduce the burden on businesses and concentrate resources on the non-compliant businesses. However, a full inspection will be carried out if the compliant businesses are not in control of the risks or a public health risk is identified.

Table 1. The number and types of food businesses and their risk rating planned for food hygiene inspections 2016/2017

Inspection Rating	Number of food hygiene inspections due	The frequency of inspection is for Category: A: every 6 months (2 inspections a year) B: every 12 months C: every 18 months D: every 2 years E: every 3 years The category for premises classed as unrated is determined at the first visit and can be A-E. Category E premises may be dealt with using an alternative enforcement strategy (AES).
A	21 x 2 = 42	
B	331	
C	648 (157 NBC**)	
D	912* (60 NBC**)	
E	358*	
New/Unrated premises carried over from 2015/16	24	
<i>New/Unrated premises estimated opening during the year (2016/17)</i>	350	
Total due for an official intervention 2016/17 (incl broadly compliant C rated premises)	1455	
Total due for Non-Official Interventions/AES 2016/17* (5% of total)	60	
Total Inspections due for 2015/16 excl broadly complaint C rated premises.	1024	

*relates to those premises subject to non-official interventions

**NBC = Not Broadly Complaint premises, which are not broadly compliant with food hygiene legislation.

- 4.2.4. The Food Safety Service aims to inspect all due category A & B premises all unrated/new premises and not broadly compliant C & D premises will be inspected as a priority in the months for which they are due.
- 4.2.5. New premises will be added to the inspection programme as the service becomes aware of them, as these premises count against the overall broad compliance percentage and hygiene rating.
- 4.2.6. Compliant Category D and E premises will be assessed in line with the alternative enforcement strategy involving a mixture of self-assessment and focused topic partial inspections.
- 4.2.7. Any complaint, received against a premises risk rated C or D will result in a Food Hygiene inspection.

4.3. Food Standards Inspection Programme

4.3.1. Table 2. The number and types of food businesses and their risk rating planned for food standards inspections 2016/17

Inspection Rating	Number of food standards inspections due	The frequency of inspection for Category: A: every 12 months B: every 2 years C: every 5 years
A	19	
B	648	
C	182*	
New/Unrated premises carried over from 2014/15	24	The category for premises classed as unrated is determined at the first visit and can be A-C.
<i>New/Unrated premises estimated opening during the year(2015/16)</i>	350	
Total Inspections due for inspection 2015/16	1,330	Category C premises may be dealt with using an alternative enforcement strategy (AES)
Total due for Non-Official Interventions/AES 2015/16* (5% of total)	9	
Total due for an official intervention 2015/16	1050	

*relates to those premises subject to non-official interventions

4.3.2. All Category A premises will be inspected as they pose the highest risk.

4.3.3. Lower risk category B premises will be inspected at the same time as the planned food hygiene inspections.

4.3.4. Category C premises will be assessed as part of an alternative enforcement strategy involving self-assessment. Category C premises will be inspected if they give rise to a complaint.

4.4. Secondary visits (Re-visits)

4.4.1. Officers will undertake additional visits to premises where follow-up/formal enforcement action is required as a result of serious contraventions found at the time of a primary (programmed) visit or where a contravention is not remedied through informal measures. A secondary visit will consist of one or more intervention activity.

4.4.2. Primary inspections resulting in advice to food business operators about minor technical contraventions will not receive a secondary visit.

4.4.3. Secondary visits will be carried out where significant breaches have been identified. It is anticipated that no more than 30% of planned inspections will result in a secondary visit.

4.5. Complaints and Service Requests

- 4.5.1. The Food Safety Service aims to investigate all food complaints concerning extraneous matter, chemical or microbiological contamination, unfitness and food alleged to have caused food poisoning, relating to food purchased within Hackney.
- 4.5.2. The Service will take receipt of all such complaints in accordance with its food and food premises policy and procedure and will pass on those that are the responsibility of other authorities to investigate.
- 4.5.3. It is expected that approximately 700 food safety related service requests will be received during 2016/17.

4.6. Primary/Home Authority Principle

- 4.6.1. The Service is committed to the Primary/Home Authority Principle, i.e. the relationship between a food business and local authority where the decision making base (i.e. head office) of the company is located.
- 4.6.2. Currently Hackney has no Primary Authority Partnership arrangements but continues to act in an informal capacity with a number of manufacturers, importers and wholesalers in the borough, as a Home Authority.
- 4.6.3. The principles of the Primary Authority Scheme are set out in the Regulatory Enforcement and Sanctions Act 2008, and are part of the Government's regulatory reform strategy led by the Hampton Report and Macrory Review that emphasised reducing burdens on businesses, and a focus on outcomes respectively.
- 4.6.4. The Food Safety Service will seek to establish at least one Primary Authority Partnership agreement through collaborative working with Better Regulatory Delivery Office (BRDO).

4.7. Advice and Training to Businesses

- 4.7.1. The Food Safety Service has produced standards which along with the Food Safety Enforcement Policy outlines the Service's commitment to advising and supporting businesses to comply with the legal responsibilities and good food hygiene and food standard practices.
- 4.7.2. The Service will give assistance to food businesses when requested to help them to comply with the law and to encourage the use of best practice. The Service is also proactive in supporting businesses and will continue to:
 - Provide advice during routine inspections to premises;
 - Provide regular Food Hygiene Training courses for businesses to attend.

- Provide information on the Hackney.gov.uk website with the purpose of providing advice to food business operators and consumers. <http://www.hackney.gov.uk/e-env-environmental-health.htm>

4.8. Advice to consumers

4.8.1. The annual Food Safety Week (2016) will focus on “Use By” dates, food waste and the safe use of leftovers. There will be a particular focus on advice to the over 65s and carers of young children as they are vulnerable to food poisoning and food-borne illnesses.

4.9. Food Sampling

4.9.1. A programme of food sampling will be carried out. Sampling may also be carried out in response to complaints and referrals but also during or following a primary inspections. All sampling is carried out in accordance with the Food Sampling Policy and Procedure.

4.9.2. The food sampling programme for 2016/2017 will be developed to include London Food Co-ordinating Group (LFCG), FSA and Public Health England (PHE) programmes, the Food Sector Group projects and local issues.

4.9.3. The authority has access to two official food control laboratories, one for microbiological examination of food (Food Water and Environmental Microbiology Laboratory) and one for food analysis (Public Analyst Scientific Services Ltd).

4.10. Control and Investigation of Outbreaks and Food Related infectious Diseases

4.10.1. The Food Safety Service will investigate all food poisoning outbreaks and notifications occurring in the borough in accordance with the Public Health England/Local Authority Joint Infectious Disease Protocol and internal procedures.

4.10.2. The Consultant in Communicable Disease Control (CCDC) at the North East (NE) and North Central (NC) London, Health Protection Team of Public Health England to act as Proper Officer for the purposes of control and management of infectious diseases.

4.10.3. There were no major outbreaks in 2015/2016 that warranted any detailed investigations. The majority of referrals (322) were isolated cases where the source of the infection did not present a significant or wide spread risk and other than a routine intervention no further action was required.

4.10.4. There have been no contingency resources identified for dealing with an outbreak identified for 2016/2017.

4.11. Food Safety Incidents

4.11.1. The Food Safety Service has arrangements in place to ensure that it is able to implement the requirements Food Law Code of Practice in respect of Food Alerts.

4.11.2. A Food Alert 'for Action' will be issued by the FSA where intervention by enforcement authorities is required and is often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor. All urgent food alerts receive immediate attention. Outside office hours the emergency contact arrangements will be used.

4.11.3. In 2015/16 the service received 80 food alerts "for action" were received and a similar number are anticipated this year.

4.11.4. There have been no contingency resources identified for dealing with food alerts for 2016/17.

5. RESOURCES

5.1. Financial Allocation

5.1.1. Table 3. Summary of Direct Budget Allocation 2015/16

Budget Heading	Food Safety Allocation
Staff (including on costs)	£471,286*
Transport	£15,328*
External Contractors (Funds all food sampling activities)	£16,025
Supplies & Services	£17,776*
Total	£488,890*

**These figures are 80% of the total amounts for each budget heading based on the estimation that the service spends 80% of its time undertaking food hygiene work.*

5.2. Resources for 2016/17

5.3. Staffing Allocation

5.3.1. Officers currently spend approximately 80% of their time carrying out the food safety function for 2016/17 and staffing the function is as follows:

1.60 (2 x 0.80) FTE x Team Leaders (TL)

5.60 (5 x 0.8) FTE x Senior Environmental Health Officers (S/EHO/EHSO)

0.80 FTE x Principal Commercial Standards Officer (CSO)

0.80 FTE x Environmental Health Compliance Officer

plus 1.50 FTE x Technical Business Support

Total staffing resources = 10.3 FTE

5.4. Authorisation and Competencies in line with new requirements of the Food Law Code of Practice (as amended)

5.4.1. All officers are authorised in accordance with the Authorisation, Induction and Training Procedure and their competencies assessed against the framework contained therein.

5.5. Staff Development Plan new requirements of the Food Law Code of Practice (as amended)

5.5.1. There is a Corporate Staff Annual Appraisal and Development scheme, and at the start of the year all staff will have their own personal plan which comprises their main objective for the year with targets and their own development plan.

5.5.2. All staff are appraised in accordance with the scheme, and their development needs assessed. Records of all identified training needs are recorded and incorporated into a training plan. In addition, staff also receive regular one-to-ones/supervision meetings whereby competencies and develop need are discussed and assessed and adjustments to training plan where possible and appropriate.

5.5.3. All training records are maintained in accordance with the Authorisation, Induction and Training procedure.

5.5.4. Officers will be assisted in achieving 20 hours' Continual Professional Development (minimum 20 hours food law related), where resources permit.

5.6. Allocation of Other Resources

- 5.6.1. The resources needed to fulfil the food law enforcement plan for 2016/17 are approximately 10.68 full time equivalents (FTE). The total number of environmental health practitioners and support officers identified in the plan is 10.30 FTE, therefore there is a shortfall of 0.38 FTE.
- 5.6.2. The higher risk category A & B, unrated and not broadly compliant category C premises inspections will be prioritised. Where there may be an impact on lower risk rated premises, project work such as the Healthy Catering Commitment project, food fraud project and the targeted activities undertaken during multi-service action days will enable the service to address this. The capacity for the delivery of the Service will be kept under review to ensure that food safety is not compromised.
- 5.6.3. In calculating the FTE requirement for 2016/17, an estimate of time allocation has been based on the previous years' outputs. The estimations make allowance for management time but not for the unplanned arising issues that are not possible to predict.
- 5.6.4. The team are currently recruiting an additional Environmental Health Officer to lead on the Health Catering Commitment project which is funded by the Public Health Team.

5.7. Resource Allocation per Activity

- 5.7.1. The table below is the estimation of a full time equivalent.

1 year	52 weeks (260 days)
Annual Leave / Bank holidays	7 weeks (35 days)
Training / briefings etc.	2 weeks (10 days)
Sick leave / dependency / special leave etc.	1 week (5 days)
Number of working weeks	42
Number of working days	210 days
1 FTE	210 days (1512 hours)

- 5.7.2. The metrics used to calculate the activity times below are based on the review carried out following the FSA Audit of the food safety Service in 2010.

5.7.3. Programmed Inspections

- High risk Category A, B, not broadly compliant Category C & D premises and all unrated premises, (assume 350 new premises) plus 60 AES inspections = 1024 inspections due at 7.0 hours per inspection (including paperwork, notices and 30 minutes journey time). (Due Food Standards inspections will be carried out at the same time) = 7168 hours (4.74 FTE)
- Carry out partial inspections on the remaining broadly complaint rated C premises; 491 premises at 4.5 hours an inspection (including paperwork and 30 minutes journey time) = 2209.5 hours (1.46 FTE)

Therefore total Food Hygiene inspection time = 9377.5hours (6.2 FTE)

- Food Standards Inspections Category A (19) premises due for food standards only @ 4.0hrs each (including paperwork and 30 minutes journey time) = 76hrs.

Total Food Standards interventions = 76 hrs (0.05 FTE)

The total resource for carrying programmed inspections = 9453.5hours (6.25 FTE)

5.9. Alternative Enforcement Strategy (AES)

Broadly compliant Category D food hygiene premises, Category E food hygiene premises and Category C food standards premises are likely to be subject to alternative enforcement strategies.

- Allow 0.25 hrs per premises (1210 FH D& E's +182 FS C) for implementation of scheme = 348 hours.
- Allow 10 hrs for management of AES scheme.

Total for carrying out above Alternative Enforcement Strategies = 358 hours (0.23 FTE)

5.10. Re- inspections following programmed inspections

Re-visits will be carried out in premises that are not broadly compliant during their initial inspection, and often multiple re-visits are needed at the same address. Calculations are based on one re-visit for each non-broadly compliant inspection, and 30% of no broadly complaint premises needing another re-visit.

For food hygiene re-visits, based on the premises that were tagged at the beginning of April 2016, 42 x As, 331 x Bs and 157 x Cs were not broadly compliant = 530 revisits @ 2hrs each (including paperwork and 30 minutes journey time) plus 10% follow-up visit = 53 @ 2 hrs = 1166 hours. For Food standards inspections revisits (Category A) 19 @ 2 hrs = 38 hrs

Total resource required for re-inspections = 1204 hours (0.79 FTE).

5.11. Service requests

It is expected that approximately 1100 (based on 2015/16 figures) food safety related service requests will be received during the year. These include advice to businesses and members of the public. It is estimated that each will take an average of 1.0 hrs; therefore 1100 hrs will be required to deal with these.

Total resource required for Service Requests = 1100 hours (0.73 FTE).

5.12. Infectious Diseases and Outbreak Control

The resource required to deal with an outbreak will depend on the size and complexity of the incident. This is not included in the estimation, and any outbreak will reduce resources available in other areas. In accordance with the Infectious Disease protocol agreed with the HPA certain infectious diseases are not actioned by the Local Authority. It is estimated that further action (questionnaire, potting etc.) will be required on approximately 75% of all cases notified (242) (based on 322 cases received in 2015/16 figures) cases. (1 hour each).

Total resource required for Infectious disease = 242 hours (0.16 FTE).

5.13. Food Sampling

Sampling will be based on the Sampling Programme – which consists of a number of projects co-ordinated by either: EU, PHE or the NE Sector Liaison Group, plus a number of local projects and home authority sampling.

- 65 (based on 2015/16 figures) samples @ average 4 hours per sample (including paperwork and 30 minutes journey time) = 260 hours
- Follow up to adverse results (20% approx.); 13 @ 4 hours per sample = 52 hours.

Total resource required for Food Sampling = 312 hours (0.20 FTE)

5.14. Proactive Action Days

Action days are taken in areas where there are known problems and it is a focused way of ensuring businesses are compliant. We expect to carry out at least 4 action days (minimum 20 premises visits) throughout the year for project and collaborative operations.

Each action days involves approx. 11 officers (5hours per day) = 55 hours per action day

Total resource required for Proactive Action days = 220 hours (0.15 FTE)

Total resource required for Advice and Education to businesses = 86 hours (0.05 FTE)

5.15. Food Safety Promotion

Activities during Food Safety Week in June are estimated to take around 4 days of officer time (including maintaining the food safety web-pages on the Hackney website)

Total resource required for Food Safety Promotion = 28.8 hours (0.02 FTE)

5.16. Food Hygiene Training to businesses

The Training Centre is scheduled to carry out 12 x training days in Level 2 Food Hygiene plus 2 x Food Allergens courses plus 4 x learning trust Level 2 Food Hygiene plus 2 x ½ day Level 2 refresher training sessions. It is estimated that each course currently takes 10 hours of officer time, and over the course of the year 10 hours' management time.

Total resource required for Food Hygiene Training = 190 (0.13 FTE)

5.17. Outdoor Events

These can occur almost every weekend during the summer months. The Service aims to undertake inspections at approximately 8 events during May to September. Two officers attend per event, for approximately 6 hours each. Preparation time for each event equates to four hours.

Total resource required for Outdoor events = 120 (0.06 FTE)

5.18. Enforcement/Prosecution/Legal work (including Hygiene Improvement Notices, seizures, closures).

Table 6: Estimations of resource requirements based on last year's enforcement actions

Type of enforcement	Number estimated based on 2015/16	Estimate of hours	Total hours
Hygiene Improvement Notices	43	1 hour/notice	43
Hygiene Emergency Prohibition Notices/Orders	10 anticipated (0 in 2015/16)	18 hours	180
Voluntary Closures	4	10 hours	40
Seizures and detentions	5	18 hours	90
Simple Cautions	2 anticipated (0 in 2015/16)	72 hours	144
Prosecutions	2	72 hours	144
Total estimated time			641

Total resource required for enforcement work = 641 hours (0.42 FTE).

5.19. Technical Business Support

The technical Business Support team are responsible for supporting officers in their activities and for maintaining back-up systems and specific items of equipment and other resources, managing training courses, maintaining premises database, running reports for FOIs etc. = **1.5 FTE.**

<u>Activity</u>	<u>FTE</u>
<u>Programmed Inspections</u>	<u>6.25</u>
<u>Alternative Enforcement Strategies</u>	<u>0.23</u>
<u>Re-inspections</u>	<u>0.79</u>
<u>Service Requests</u>	<u>0.73</u>

Infectious Diseases and Outbreak Control	0.21
Food Sampling	0.20
Proactive Action Days	0.15
Food Safety Promotion	0.01
Food Hygiene Training	0.13
Outdoor Events	0.06
Enforcement/Prosecution/Legal work	0.42
Technical Business Support	1.5
Approximate total resources required to fulfil the plan for 2016/17	10.68

6. QUALITY ASSESSMENT

6.1. Internal Arrangement

6.1.1. Arrangements include:

- monitoring arrangements to assess the quality of food enforcement work and compliance with the Food Law Code of Practice internal procedures.
- minuted monthly team meetings
- annual performance appraisals
- development needs assessments and training plan
- cascade training and team briefings
- accompanied/validation inspections
- 4-6 weekly one-to-one meetings

6.1.2. External Arrangements

6.1.3. Hackney will submit to the Local Authority Enforcement Monitoring System (LAEMS), as required by the Food Standards Agency. In addition, we upload to the FSA's FHRS site on a fortnightly basis.

6.1.4. In 2015/16, Hackney participated in a consistency exercise with the London borough of Waltham Forest as part of a wider North East London food authority's initiative focusing on inspection techniques and outcomes. Overall the exercise identified consistent outcome. However some of the lessons learned will be incorporated in to a new approach by Hackney.

6.2. REVIEW - Review against the Service Plan 2015/16

6.2.1 Monthly and quarterly briefings to the Corporate Director, Assistant Director, the Planning and Regulatory Service Management Team and lead Councillor on performance against P.I's, the food safety inspections programme and performance targets detailed in the service plan. Performance of the service is reviewed through a variety of mechanisms which include performance appraisals, monthly one-to-one meetings and monthly team meetings.

6.3. Annual Food Service Statistics 2015/16

6.3.1. Food Hygiene

	2012/13	2013/14	2014/15	2015/16
Total Number of premises in Hackney subject to Food Hygiene controls	2,254	2,471	2,575	2954
Percentage of Food premises Broadly Compliant with legislation	73%	74%	79%	84%
Total number of unrated premises at beginning of year	115	145	36	24
Number of new food businesses	341	306	358	367
Number of Food Hygiene revisits undertaken	706	450	358	434
Number of interventions at premises rated A following inspection.	133	154	120	130
Number of interventions at premises rated B following inspection.	600	374	405	493
Number of interventions at premises rated C following inspection.	1215	811	576	650
Number of interventions at premises rated D following inspection.	52	157	164	316
Number of interventions at premises rated E following inspection.	108	68	39	34
Total Number of visits to premises who had ceased trading.	356	290	330	253
Total Number of businesses inspected.	1388	1644	1135	1133

6.3.2. Food Standards

	2012/13	2013/14	2014/15	2015/16
Total Number of premises in Hackney subject to Food Standards controls	2269	2513	2832	3210
Number of Food Standard revisits undertaken	10	0	13	120
Number of interventions at premises rated A following inspection.	29	15	20	27
Number of interventions at premises rated B following inspection.	766	656	564	467
Number of interventions at premises rated C following inspection.	292	373	306	340
Total Number of businesses inspected.	1285	1167	1072	933

6.3.3. Food Sampling

	2012/13	2013/14	2014/15	2015/16
Total Number of Samples taken	154	63	131	65

6.3.4. Food Safety Enforcement

	2012/13	2013/14	2014/15	2015/16
Total number of Food Hygiene Written warnings issued	1,109	1,021	1,201	1061
Total number of Food Standards written warnings issued	236	431	480	695
Hygiene Emergency Prohibition notices (formal closure)	9	15	13	0
Voluntary Closures due to Food Hygiene imminent risk	11	12	5	4

Premises receiving a Hygiene Improvement notice	62	25	37	43
Seizure/detention of food	7	12	16	5
Prosecution of food premises	0	2	2	2

6.3.5. Food Hygiene Training

	2012/13	2013/14	2014/15	2015/16
Total Number of attendees	N/A	N/A	121	208

6.3.6. Infectious Diseases

	2012/13	2013/14	2014/15	2015/16
Total Number of Infectious Disease notifications received	268	245	324	322

6.3.7. Service Requests

	2012/13	2013/14	2014/15	2015/16
Total Number of food safety related services requests received	1464	1127	878	1134

6.4. Identification of any variation from the Service Plan

6.4.1. NMW activities with HMRC were not undertaken in 2015/16 as HMRC were reviewing their approach and unable to commit to any joint operations.

6.4.2. 6% of Category C food hygiene inspections were not carried out and these 40 inspections have been carried forward to the 2016/17 programme.

6.4.3. The service were unable to complete Primary Authority Partnership (PAP) agreement in 2015/16. The service anticipates establishing the PAP in 2016/17.

6.4.4. The programme of low risk category D rated premises was not completed as higher risk premises inspections were prioritised. Completion of this work will now form part of the AES for 2016/17.

6.5. Key Areas for Improvement/Development for the next two years

6.5.1.

What we will do	Purpose	when
Delivery of a targeted risk-based approach for all planned food hygiene and food standards interventions	To ensure good food safety standards in food premises in the district to reduce the likelihood of food poisoning incidents	Targets reviewed and set annually
Checks of food premises that at their last intervention were <i>ceased trading</i> and therefore recorded as <i>closed</i> .	To ensure that the premises database is accurate and up to date and in readiness for the mobile working programme. As it is not uncommon for business to reopen and start trading without the knowledge of this Service	2016/17
Delivery of continued improvements on use of database and to identify efficiencies in processes in line with the Regulatory Services ICT strategy and associated road map	To contribute to the corporate ICT programmes, to improve the efficiency of the service delivery	2016/17
Review of procedures and quality monitoring processes of service activities and internal auditing against Standards and the FSA Framework agreement.	To build capacity and ensure the delivery of the food service is 'fit for purpose', fair, practical and consistent and able withstand a challenge	2016/17
Ramp-up follow-up and range of interventions including formal enforcement activities in respect of not broadly compliant premises	To reduce the likelihood of food poisoning and significant risk of injury to public health; and to improve the percentage of broadly compliant premises	2016/17
Deliver the Alternative Enforcement	To monitor change of activities and	Targets reviewed and set annually

Strategy (AES) for low risk premises	maintain food safety compliance	
Deliver the Healthy Catering Commitment in partnership with the Public Health team	To deliver Hackney's Obesity Strategic Partnership plan and reduce health inequalities.	2016/18
Delivery of Food Fraud interventions to ensure the provision of safer, healthier and sustainable food	To reduce illegal foods through interventions:	
	Continuation of FSA funded Food Fraud Project and revised phase 3 action plan	2016/17
	To work collaboratively with the FSA & City of London to deliver illegal meat training for London authorities.	2016/17
	To lead pan-London illegal foods group.	2016/18
Educate and support to businesses	To develop and deliver training courses to food businesses including market traders and mobile traders through the training centre	2016/17
	To develop a plan to identify a number of businesses in order to establish at least one primary authority agreement.	2016/18
	To market and further develop the business compliance consultancy to assist business compliance, improvement and growth	2016/18
Food premises registration	To ensure that all new food businesses are inspected in a timely manner to limit the negative impact on the broadly compliance figure.	2016/17
Effective partnership working	To support the work of HMRC, the Police, Immigration and other relevant internal	2016/18

	<p>and external partners on observance of National Minimum Wage/National Living wage in Hackney.</p> <p>To identify causes of nuisance arising from issues relating to commercial noise, odour control and waste management.</p> <p>To work with the relevant departments to establish indicators for human slavery and safeguarding that can be identified during inspections to food businesses.</p> <p>To improve consultation process for planning applications for new and change of use premises</p>	<p>2016/17</p> <p>2016/17</p> <p>2016/17</p>
Promote the Food Hygiene Rating Scheme	<p>To allow consumers make informed choices, and driving up standards and the economy:</p> <p>Encourage the display of ratings</p> <p>Develop a scheme for recognition of businesses that have attained and maintain FHRS rating of 5</p> <p>Establish mandatory display in accordance with FSA guidelines</p>	2016/17

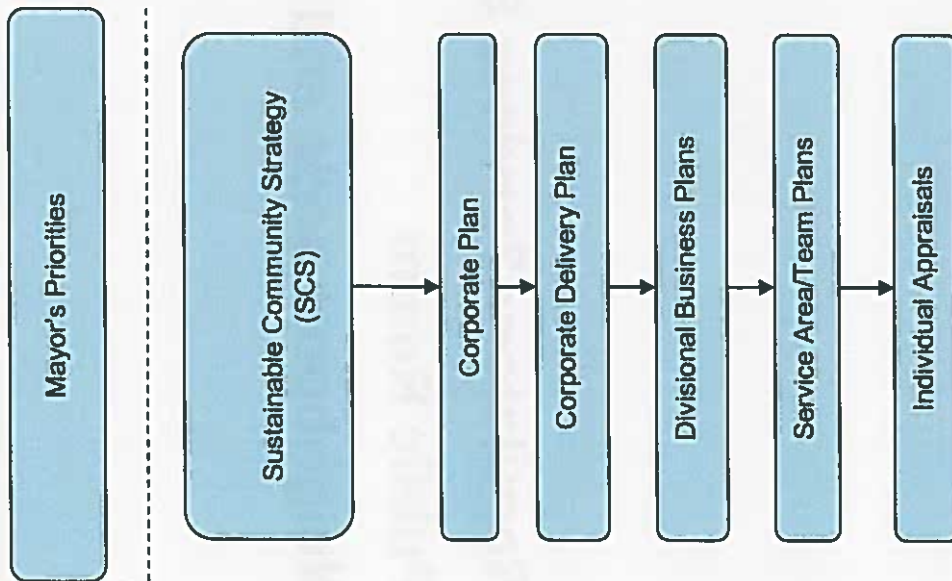


London Borough of Hackney

Regulatory Services Service Plan 2016/17
Public Realm
Neighbourhoods and Housing

March 2016

How the Service Links to Corporate Priorities



Hackney's Vision: A place for everyone

<p>Mayor's Priority 1:</p>	<p>Making Hackney a place where everyone can succeed, through a first class education, investment and jobs, and providing support to those who need it most.</p>
<p>Mayor's Priority 2:</p>	<p>Making Hackney a place that everyone can enjoy, with clean, safe streets, excellent parks and public services and a great quality of life for all who live here.</p>
<p>Mayor's Priority 3:</p>	<p>Making Hackney a place where everyone can contribute, through listening to residents, and involving them in the decisions we make and things we do.</p>
<p>The 2008-2018 Sustainable Community Strategy has six priorities:</p>	
<ol style="list-style-type: none"> 1. Reduce poverty by supporting residents into sustainable employment, and promoting employment opportunities. 2. Help residents to become better qualified and raise educational aspirations. 3. Promote health and wellbeing for all, and support independent living. 4. Make the borough safer, and help people to feel safe in Hackney. 5. Promote mixed communities in well-designed neighbourhoods, where people can access high quality, affordable housing. 6. Be a sustainable community, where all citizens take pride in and take care of Hackney and its environment, for future generations. 	

1.1 The Purpose of the Team

Regulatory Services' key role is to actively provide support, advice and information to businesses whilst targeting enforcement activity against those who put public health and the local economy at risk. Regulation is often perceived to be a barrier to business development and growth, a key focus for Regulatory Services is to break down both actual and perceived barriers and support business development. This includes utilising the contacts the service has with businesses to help support and signpost them to other support networks and combine this with appropriate enforcement activity. The Service comprises the following teams:

Trading Standards Service: responsible for enforcing and advising businesses and consumers within Hackney on legislation relating to trading practices. The team investigates scams and fraud, and supports legitimate businesses in meeting statutory duties related to fair trading, consumer safety and weights and measures, as well as helping consumers in respect of consumer credit. **Mayor's Priority 2 Sustainable Community Strategy priority 3 & 4.**

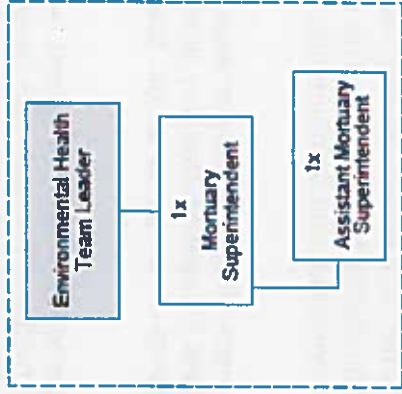
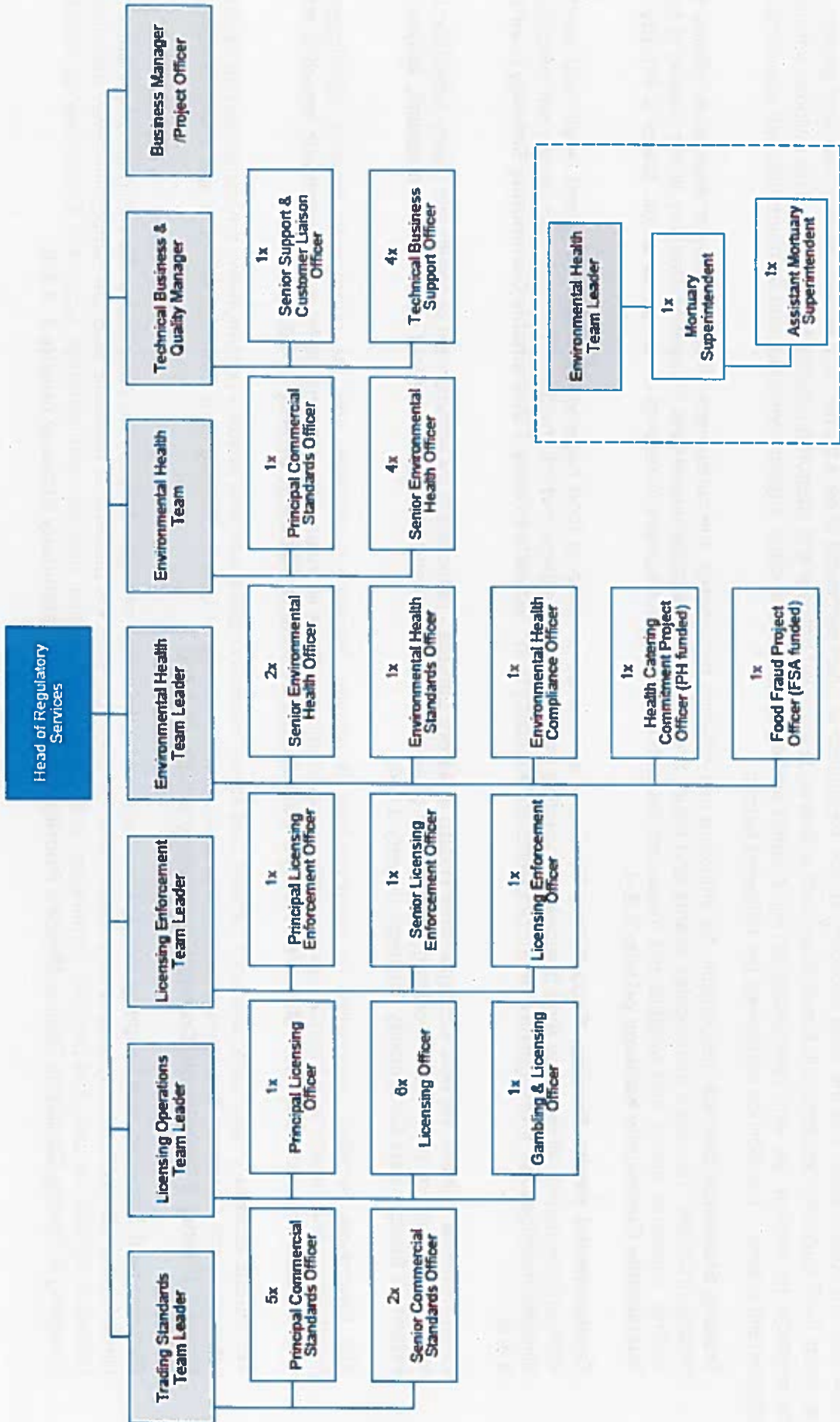
Environmental Health Service: Food Safety Service - undertakes a range of food hygiene, food standards and health and safety interventions across all Hackney food businesses including the provision of advice and information. The team also carries out infectious disease investigations, investigation of food complaints and sampling work. **Mayor's Priority 2 Sustainable Community Strategy priority 3 & 4.**

Environmental Health Service: Occupational Health & Safety Service - responsible for enforcement of health and safety legislation in all relevant Hackney businesses including the provision of advice, information and investigations about work related complaints. **Mayor's Priority 2 Sustainable Community Strategy priority 3 & 4.**

The Licensing Service: responsible for ensuring that all relevant Hackney businesses hold the appropriate licences, certificates, registrations and comply with the rules and conditions appertaining to those licences. Also responsible for enforcement with regard to any unauthorised licensable activities. **Mayor's Priority 2 Sustainable Community Strategy priority 3, 4 & 6.**

The Public Mortuary: the Public Mortuary handles and stores Hackney's deceased and ensures post-mortems are carried out for deaths referred by the Coroner. The service is part of a consortium consisting of London Boroughs of Camden, Islington and Tower Hamlets. **Mayor's Priority 2 Sustainable Community Strategy priority 3, 4 & 6.**

Bereavement Services and Property Protection: Bereavement Service arranges funerals for people who die within the boundaries of Hackney that do not have anybody willing/able to do it for them; protects the property of residents who are temporarily away from their homes in hospital or care and provides front-facing and back office technical business/administrative support to Environmental Health, Licensing & Trading Standards Teams. **Mayor's Priority 2 Sustainable Community Strategy priority 3, 4 & 6.**



2 WHERE WE ARE NOW – LOOKING BACK ON 2015/16

2.1 Performance Profile 2015/16

Regulatory Services has a key performance indicator regarding customer satisfaction for Environmental Health, Licensing and Trading Standards.

The performance indicators for the service areas set out how well the service performed against a range of criteria, measures, targets and customer expectations.

Ref	Cabinet Member	Manifesto Commitment	Milestones
61	Cllr Linden	We will review the Council's Licensing Policy, developing a balanced response to pubs and clubs that tackles anti-social behaviour and crime.	<ul style="list-style-type: none"> - Draft Policy developed and consulted on between 25 May and 14 August 2015 - The existing Policy was re-adopted by the Council on 25 Nov 2015 with a view to carrying out further substantive stake holder engagement before consulting on a revised policy.
145	Cllr Linden	We will continue to press for ensuring at least the national minimum wage is paid by employers	<ul style="list-style-type: none"> - Partnership working with HMRC, Police, Home Office and other Regulatory Services was deferred pending a meeting due to a lack of intelligence.

Key Achievements and Outcomes from 2015/16

Action	Output	Outcome
Undertake the Council's food safety enforcement authority function and provide advice to businesses and the public on food safety matters.	Food premises inspection programme. Delivery of topic based support projects for business.	Inspection performance 100% of high risk category A&B premises. Achieved 83% of premises broadly compliant in food hygiene exceeding the target of 75%. 30% reduction in unrated premises.
Provide training to businesses on food safety matters.	Delivered 13 training session to 129 food handlers. Generated revenue of £10,650.	Improved food hygiene standards contributing to improved percentage of broad compliant food premises.
Undertake the Council's health and safety enforcement authority function and provide advice to businesses and the public on health and safety. Licensing Activity.	Health & Safety inspection programme. Delivery of topic-based support projects for business. Draft policy developed.	Inspection performance 100% of high risk category A premises.
Partnership working.	Public consultation carried out between 25 May and 14 August 2015. Efficient licensing processes in place Optimised joint and partnership working. Commitment from partners. Improved service delivery and opportunities, reduced cost and greater efficiencies.	Existing Licensing Policy was re-adopted in November 2015. 2000 Highways licenses issued, 2000 TENs applications received and 68 sub-committees held. Carried out a series of evidence-led projects and activities, including: Healthy Catering Commitment with the Public health Team to improve healthy options/choices in takeaways near target schools;

		<p>Action days in Ridley Road supported by the FSA to monitor and regulate against food fraud and illegally imported food;</p> <p>Funding from the FSA to encourage the display of food hygiene ratings in 3 above hygiene rated premises;</p> <p>Joint consistency inspection with environmental health colleagues from the London Borough of Waltham Forest;</p> <p>Working with the Police 'Operation Trident' to tackle crime disorder knife crime.</p>
<p>Under Age Sales</p>	<p>Five test purchase action days in partnership with the Police</p>	<p>From the five action days, four sales were made for age restricted products. In April and December there were two sales of alcohol. In May there was a sale of a knife and in October there was a sale of fireworks which has been submitted for prosecution. In April the service received the result from a previous case, a trader received a fine of £2700 for selling alcohol to minors.</p>
<p>Work to combat the supply of illicit tobacco</p>	<p>Two separate days of visits to traders in Hackney, these took place in October and February.</p>	<p>From the visits conducted in October four out of six traders were found to have illicit tobacco. The visits conducted in February the results improved to only one premises from six visits had illicit tobacco.</p>
<p>Work to combat the supply of counterfeit goods</p>	<p>Regular inspections of traders</p>	<p>The Trading Standards service secured a prosecution against a trader in Hackney who was found guilty of selling counterfeit merchandise. The fine was £10,000 and costs were awarded for £19,665.72.</p>

<p>Review of Gambling Statement of Principles (Policy)</p>	<p>Policy revised and public consultation carried out between 20 July and 4 September 2015</p>	<p>Policy adopted by Council on 25 November 2015.</p>
<p>Partnership working</p>	<p>Optimised joint and partnership working.</p>	<p>Commitment from partners.</p>
	<p>Proceeds of Crime financial investigations in partnership with the Planning Service</p>	<p>Improved service delivery and opportunities, reduced cost and greater efficiencies</p>
		<p>A confiscation order of £700,000 was achieved for illegal residential development and £38,000 for unauthorised conversion (NB: One third of the proceeds come to the Council).</p>
<p>Licensing Enforcement Responsible Authority representations</p>	<p>Licensing Enforcement reviewed the licence of the former Texaco Petrol Station in Shoreditch and successfully defended the decision to revoke at the appeal hearing.</p>	<p>£25,000 costs awarded to Council. Premises no longer permitted to sell alcohol or provide late night refreshment. Decision received national press coverage and is considered to be influential with regard to future licensing reviews.</p>
<p>Illegal gaming machines seizures</p>	<p>Licensing Enforcement worked with the Police and Gambling Commission in an operation to removed illegal gaming machines from premises in Hackney.</p>	<p>Licensing Enforcement Responsible Authority reps increased by 30%.</p>
<p>Bereavement Service</p>		<p>38 machines seized and subsequently destroyed. Further operation planned.</p>
		<p>The Service received 57 referrals and undertook nine property searches on behalf of Homerton Hospital.</p>
		<p>The Public Mortuary stored 233 bodies and carried out 186 post mortems.</p>

	response to works affecting the highway.		
Increased awareness of cross-service priorities	<ul style="list-style-type: none"> • Checklist for visits to include: <ul style="list-style-type: none"> - human trafficking - brothels - national minimum/living wage - illegal workers - Public Health and Prevent 	AF	All
Developing manager and leadership skills.	<ul style="list-style-type: none"> • Attendance at management training • Managers undertaking their staff appraisals on time • and regular one-to-ones • Managing staff absence and reducing sickness • Performance management and reporting. 	AF	
Review of fees and charges	Review fees and charges in light of recent case law and legislative guidance.	DT/Sutha Kathiresan (SK)	
Website review including Public Registers	Review and update website content as appropriate.	Subangini Sriramana (SS)	

Licensing Service

Objectives	What we will do	Purpose	Lead officer	Key corporate activity
<p>Substantive consultation ahead of a review of Statement of Licensing Policy</p>	<ul style="list-style-type: none"> Produce timescales and scoping prior to consultation. Produce draft document and supportive documentation for consultation. Consultation with key stakeholders and prepare report for Licensing Committee 	<p>To set out the principles applied when considering applications under the Licensing Act 2003 whilst promoting the 4 licensing objectives.</p> <p>To manage the growth of the vibrant night time economy.</p> <p>To support a safe and vibrant night time economy and growth of the hospitality sector.</p> <p>To manage the impact of anti-social behaviour and nuisance.</p> <p>To reduce negative impacts of alcohol on health, wellbeing and quality of life for consumers and residents.</p>	DT/Channing Riviere (CR)	<p>Mayor's Priority 2 & 3</p> <p>Sustainable Community Strategy priority 3, 4 & 6</p> <ul style="list-style-type: none"> By promoting and participating in initiatives that provide business support; By producing guidance and advice; By providing an efficient, effective and quality service to both businesses and consumers; By working with partners to promote the provision of a safe visitor economy within the community; By utilising new ways of working and available technology to increase efficiency; By generating revenue; By assisting the business community to comply with legislation; By investigating and resolving complaints; By ensuring all licensed premises abide by their licence conditions;
<p>Consider the introduction of the Late Night Levy to provide additional policing of the night time economy.</p>	<ul style="list-style-type: none"> Review of scheme and powers taking into account and exploring lessons learnt and best practice from the levies in Islington, Camden and Newcastle. Report on Levy to the Council Collaborative working with Community Safety, other external agencies, local authorities and local 	<p>To support a safe and vibrant night time/hospitality economy.</p> <p>To support the work of community safety to reduce crime, anti-social behaviour and other nuisance.</p>	DT	

<p>Licensing regulation and Licensing as a Responsible Authority</p>	<p>businesses and communities.</p> <p>Undertake a programme of risk-based inspections of premises and in respect of individuals to ensure compliance with licensing legislation and undertake appropriate enforcement action as necessary.</p> <p>Deliver effective enforcement action against those contravening licensing requirements:</p> <ul style="list-style-type: none"> • Joint inspection/ interventions with other services respect of betting shops including test purchasing. • Fulfilling Responsible Authority Role and working with other Responsible Authorities at Licensing Operations Enforcement Group (LOEG) • Review and respond to consultations, and make representations where necessary. • Respond to allegations of unauthorised activities and similar licensing related issues 	<p>To provide effective administration on all licensing applications.</p> <p>To minimise negative impact such as such as nuisance, crime/ disorder and anti-social behaviour.</p> <p>To minimise public safety issues arising from licensed events and premises in the borough.</p> <p>To explore delivery of a training programme for applicants.</p> <p>To maintain high levels of customer satisfaction amongst residents and businesses with regard to the undertaking of the role</p>	<p>Darren Reilly (DR)</p>	<ul style="list-style-type: none"> • By making representations on new applications and assist in ensuring that the licensing objectives are upheld through the Licensing Sub Committee process.
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<p>To minimise public safety issues arising from licensed events and premises in the Hackney</p>	<ul style="list-style-type: none"> • Provide businesses with advice and assistance. - Review and respond to consultations, including making of representations where necessary - Participation in Queen Elizabeth Olympic Park Licensing, Planning, Operational and safety group, HEAT (Hackney Event Action Team) process and/or other relevant Safety Advisory Groups. - Prioritise and monitoring of large scale events 	<p>To maintain high levels of customer satisfaction amongst residents and businesses.</p> <p>To ensure Licensing Act, Health & Safety and Food Safety Laws are fulfilled in relation to outdoor events</p>	<p>DT/DR</p>	
<p>Explore implementation of pre-application and fast-track licence scheme</p>	<p>Benchmark and review best practice of schemes offered by other Authorities. Work with Finance to establish costings. Develop delegated powers report. Introduce and advertise service.</p>	<p>To secure additional revenue for the Council</p> <p>To ensure the Council is not subsidising businesses.</p> <p>To work towards cost neutrality by 2020.</p>	<p>SK</p>	

	<ul style="list-style-type: none"> • Estates excellence • Delivery of Level 2 Health and safety Training 		<p>Dextor Lewis (DL) DL Theresa Williams (TW) DL</p>	<ul style="list-style-type: none"> • By utilising new ways of working and available technology to increase efficiency; • by assisting the business community to comply with legislation and by tackling those businesses that do not comply; • By undertaking the role of responsible authority under the Licensing Act 2003.
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Trading Standards Service			
Objectives	What we will do	Purpose	Lead officer
<p>Consumer advice, education and safety</p>	<ul style="list-style-type: none"> • Intelligence led safety projects including participation in regional projects • Participation in National Consumer Week • Tackling counterfeit goods – continuation of the 'Real Deal' strategy • Letting and Managing Agents Redress Scheme • Education/ advice visits and planned inspections of high/medium high risk premises • Test purchasing cosmetics/wigs/hair 	<p>To protect consumers and the economy.</p> <p>To reduce the availability of counterfeit goods in Hackney</p> <p>To ensure membership of the redress schemes to protect tenants' rights and to ensure a level playing field for other traders.</p>	<p>Key corporate activity</p> <p>Mayor's Priority 2 & 3</p> <p>Sustainable Community Strategy priority 3, 4 & 6</p> <ul style="list-style-type: none"> • By advising and regulating businesses that sell age restricted products such as alcohol, tobacco, fireworks and knives to young people; • By combating rogue traders, obtaining redress for consumers and undertaking outreach work particularly during National Consumer Week;

	<p>extensions to ensure they meet safety requirements</p> <p>Develop and implement an intelligence-led intervention programme & initiatives concerning:</p> <ul style="list-style-type: none"> • Knives: • Alcohol: • Fireworks: • Tobacco • Legal highs <p>Collaboration with other Council services and external agencies.</p>		<p>To promote the health and well-being of young people.</p> <p>To reduce anti-social behaviour associated with age restricted products.</p> <p>To explore delivery of a training programme</p>	Michael Witter	<ul style="list-style-type: none"> • By carrying out electrical safety test purchases and testing on electrical items to protect vulnerable low income groups; • By protecting intellectual property by reducing the sale of counterfeit items; • By developing proceeds of crime work (POCA); • By dealing with the proliferation of estate agents boards; • By undertaking the role as a responsible authority under the Licensing Act 2003.
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Food Safety Service			
Objectives	What we will do	Purpose	Lead officer
<p>To ensure good food safety standards in food premises in the district to reduce the likelihood of food poisoning incidents.</p>	<p>Development and implementation of Food Law Enforcement Service Plan:</p> <p>Responding to complaints and enquiries about food and food premises, and delivery of food premises inspection programme, incorporating food safety coaching programme</p> <ul style="list-style-type: none"> • Food safety sampling programme <p>Food Safety projects:</p>	<p>To contribute to the reduction in major causes of ill health.</p> <p>To improve the number of compliant food businesses in Hackney.</p> <p>To support business growth and encourage businesses to approach the service for support and information.</p> <p>To maintain high levels of resident and business satisfaction with the service</p>	<p>AF/NL</p> <p>RB</p> <p>NL/Shahreen Zar (SZ)</p>
			<p>Key corporate activity</p> <p>Mayor's Priority 2 & 3</p> <p>Sustainable Community Strategy priority 3, 4 & 6</p> <ul style="list-style-type: none"> • By working with businesses and partners to protect consumers from harm by ensuring that food produced, distributed and marketed in the borough is safe and wholesome for the consumer to eat;

	<ul style="list-style-type: none"> • Food Fraud • Healthy Catering Commitments • Health in the High street • Improving food hygiene compliance • Food Safety Week • Food hygiene training programme • Develop the Business Consultancy role • Undertake animal feed interventions and funded pan-London initiative. • 		<p>RB</p> <p>RB</p> <p>NL</p> <p>Lillian Galabe (LG) DL/Lola Nosiru (LN)</p> <p>TW</p>	<ul style="list-style-type: none"> • By working with businesses to ensure that food produced, distributed and marketed in the borough meets labelling and compositional requirements and is presented so that consumers are not misled as to its nature, substance or quality; • By deterring, detecting, investigating and disrupting fraudulent activity involving food, including the illegal importation of food; • By preventing the spread of infectious disease and food poisoning and to investigate outbreaks; • By responding quickly and proportionately to food incidents and customer complaints; • By providing advice and education to all sectors of the community on food safety matters and to meet the training needs of the businesses in Hackney with the promotion of in-house training courses; • By promoting the provision of healthier food to reduce health inequalities;
<p>Harnessing consumer power to drive up food hygiene standards – Food Hygiene Rating Scheme</p> <p>Delivery of Food Fraud interventions to ensure</p>	<ul style="list-style-type: none"> • Maintain a borough wide food hygiene rating scheme • Publish hygiene ratings and proactively encourage the display of ratings. <p>Imported and illegal foods interventions:</p>	<p>Consumers able to make informed choices on where to eat or purchase food through published food hygiene ratings.</p> <p>To ensure protection of, consumers and animals who</p>	<p>NL</p> <p>NL/SZ</p>	

<p>the provision of safer, healthier and sustainable food</p>	<ul style="list-style-type: none"> Continuation of FSA funded Food Fraud Project Working collaboratively with the FSA & City of London to deliver illegal meat training for London authority. Lead pan-London illegal foods group. 	<p>may consume food or feed that is either bought, supplied or produced in Hackney</p>		<ul style="list-style-type: none"> By working with other Services, local authorities and agencies with common objectives to provide effective enforcement; By protecting businesses from economic disadvantage caused by competitors not complying with food safety legislation By generating revenue.
<p>Primary Authority Partnership (PAP) – A formal arrangement to serve as a business' first point of call for advice on regulatory issues</p>	<ul style="list-style-type: none"> Development of a protocol for delivery and charging in accordance with Better Regulation Delivery Office (BRDO) policy. To undertake at least one primary authority partnership agreement in respect of one or more services. Appraisal of each company's regulatory policies, procedures and practices as they are reviewed. Appraisal of each company's contractors and management arrangements. Audit and review the regulatory arrangements, to include strategy and organisational implementation. Advising on related documentation as required. 	<p>To reduce regulatory burdens on businesses.</p> <p>To better dialogue between businesses and regulatory services</p> <p>To improve business perceptions of regulators.</p> <p>Partnerships established as Better Regulation Delivery Office's initiative.</p> <p>Ability to charge for services to businesses</p>	<p>NL/RB</p>	

	<ul style="list-style-type: none"> • Advising companies on new developments in regulatory legislation and best practice. • Respond to challenges from other health & safety regulators. 			
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Bereavement and Property Protection				
Objectives	What we will do	Purpose	Lead Officer	Key corporate activity
<p>To case manage and process each bereavement and property protection case allocation in a compassionate and timely way.</p>	<ul style="list-style-type: none"> • Arrange funerals within six weeks of referral received • Arrange to visit property protection property within 10 days of referral. • Arrange to the carry property searches on behalf of Homerton Hospital within 10 days of referral received. • Ensure costs are recovered for funerals arranged and properties protected. • Refer cases to the Government Legal Department 	<p>To work with partners – Coroner’s officers, Adult Social Care, nursing homes and the hospice to ensure funerals are arranged.</p> <p>To ensure properties are protected for vulnerable residents within the borough.</p>	<p>Lorraine Thomas (LT)</p>	<p>Mayor’s Priority 2 & 3 Sustainable Community Strategy priority 3, 4 & 6</p>

Public Mortuary			
Objectives	What we will do	Purpose	Lead officer
<p>The safe storage of all deceased bodies ensuring that all mortuary procedures and practices are in line with current HTA regulations.</p>	<ul style="list-style-type: none"> To carry out post mortems at the request of the Coroner To undertake viewings of the deceased by family and friends. To assist police in the identification of the bodies To act as persons designated for the purpose of the HTA (Human Tissue Authority) To assist with any enquiries regarding death certification. 	<ul style="list-style-type: none"> To ensure that we maintain our HTA licence. To ensure that we continue to provide a high quality service To ensure that we continue to work effectively, and in an integrated way. To ensure that all our activities, protocols and practices conform to all current HTA requirements 	<p>Katherine Adams (KA)</p>
<p>Working towards establishing an out of hours service</p>	<ul style="list-style-type: none"> To support and contribute to development of processes and procedures in conjunction with the Coroner, the Consortium and our Registrars 	<ul style="list-style-type: none"> To provide a flexible service meeting the needs of the community. 	<p>AF/KA</p>
			<p>Key corporate activity</p> <p>Mayor's Priority 2 & 3 Sustainable Community Strategy priority 3, 4 & 6</p>
			<p>Mayor's Priority 2 & 3 Sustainable Community Strategy priority 3, 4 & 6</p>

Training Centre - Food Businesses			
Objectives	What we will do	Purpose	Lead officer
To support businesses to ensure that they are compliant with the law and ensure public safety, health and wellbeing in relation to food preparation.	<p>Provide quality, practical and cost effective training to businesses on Environmental Health, Trading Standards and Licensing standards</p> <ul style="list-style-type: none"> • Food Safety in Catering Level 2 • Food Safety in Catering Level 3 • Health and Safety at work Level 2 • Food Allergens • Prevent Age Restricted Sales • Level 2 Award for Personal Licence Holders 	<p>Enable Food and other businesses to learn how to be compliant with the law and</p> <p>Improve Food Safety, Health and Safety practices within businesses</p> <p>Provide a better understanding for business with regards Food Safety, Health and Safety at work and their responsibilities</p> <p>Develop food and other business owners and their staff by building their confidence, knowledge and competencies.</p>	LN/DR
			<p>Key corporate activity</p> <p>Mayor's Priority 2 & 3</p> <p>Sustainable Community Strategy priority</p>

Effective Partnership Working			
Objectives	What we will do	Purpose	Lead officer
To support the work of HMRC, and work with partners on observance of National Minimum Wage in Hackney.	<ul style="list-style-type: none"> • Development of a programme identifying priority areas. • Delivery of targeted initiatives to promote national minimum wage. • Observing signs of human trafficking. Report concerns to 	To raise awareness with employers and workers to ensure the payment of at least the minimum wage.	R/JJK
			<p>Key corporate activity</p> <p>Mayor's Priority 1, 2 & 3</p> <p>Sustainable Community Strategy priority 3, 4 & 6</p> <p>By undertaking themed evidence-led operations and</p>

	<p>Contributing to the reduction in causes of ill-health.</p>	<p>Metropolitan police Human Trafficking Team.</p> <p>Develop a programme of activities:</p> <ul style="list-style-type: none"> • Review and follow up Infectious Diseases cases • Massage and Special treatment inspections • Smoke Free compliance and tobacco control measures including: • Developing expertise in different areas (e.g. shisha) • Collaboration between Trading Standards and Environmental Health and other partners (e.g. police) to ensure legal requirements are met • Continued partnership work with regional NE/NC Illicit Tobacco Group. • Collaboration with the Public health Team to explore implementation of a scheme for the voluntary removal of super strength beer, lager or cider from retailers' shelves. • Intelligence led surveillance visits and will address any non-compliance 	<p>To protect those subject to human trafficking and slave labour.</p> <p>To improve infectious disease control and management.</p> <p>To fulfil a request from the Health in Hackney Scrutiny Commission on ill health.</p>	<p>DT/DR/RJ/NL</p>	<p>activities with internal and external partners relating to (but not exclusively):</p> <ul style="list-style-type: none"> • National Minimum wage • Proceeds of Crime • Tobacco • Food Fraud and illegally imported food • Healthy eating • Asbestos awareness • Illegal gaming machines
<p>Tackling Counterfeit Goods</p>	<p>Intelligence led surveillance visits and will address any non-compliance</p>	<p>To protect consumers and the economy. To reduce the availability of counterfeit goods in Hackney.</p>	<p>KJ</p>		

Financial investigations	<ul style="list-style-type: none"> Seek to develop a plan for partnership opportunities with services within Hackney and other local authorities in respect of Proceeds of Crime Act 2002 activities. 	AD/KJ	The financial investigators aim to remove the benefit from criminals whilst at the same time seeking to bring income into the local authority using the Government incentivisation scheme.	
Tobacco work	Participate with regional project work. The team will carry out a minimum of two illicit tobacco action days using sniffer dogs.	AD	The purpose of this work is to remove illicit or counterfeit tobacco from the premises in Hackney.	

Health and Wellbeing				
Objectives	What we will do	Purpose	Lead officer	Key corporate activity
Contributing to the Council's input into the wider health & wellbeing/public health agenda	<ul style="list-style-type: none"> Maintaining appropriate data input into the Joint Strategic Needs Assessment (JSNA) Investigation and development of public health initiatives that would be of benefit in the: <ul style="list-style-type: none"> Test purchases of alcohol and tobacco Age Restricted Sales Healthy eating initiatives Responsible retailing of alcohol sales Smoke Free multi-agency Shisha project Voluntary 'Super Strength' Pilot. Explore development of a tattoo hygiene rating scheme will be introduced 	<p>Promotion of good public health standards and reduction in adverse public health issues</p> <p>Enforcing Health Act 2006 (substantially enclosed premises) and Consumer Protection Act 1987 (labelling)</p>	DT/DR/RJ/NL	<p>Mayor's Priority 2 & 3</p> <p>Sustainable Community Strategy priority 3, 4 & 6</p> <p>By working with partners such as the Public Health Team, other local authorities and agencies to improve health inequalities.</p>

	<p>with the aim of improving hygiene in tattoo parlours</p> <p>Develop a programme of activities:</p> <ul style="list-style-type: none"> • Review and follow up Infectious Diseases cases • Massage and Special treatment inspections • Smoke Free compliance and tobacco control measures including: • Developing expertise in different areas (e.g. shisha) • Collaboration between Trading Standards and Environmental Health and other partners (e.g. police) to ensure legal requirements are met • Continued partnership work with regional NE/NC Illicit Tobacco Group. • Collaboration with the Public health Team to explore implementation of a scheme for the voluntary removal of super strength beer, lager or cider from retailers' shelves. 	
<p>Contributing to the reduction in causes of ill-health.</p>	<p>To improve infectious disease control and management.</p> <p>To fulfil a request from the Health in Hackney Scrutiny Commission on ill health.</p>	<p>AF/NL</p>
<p>Responding to emergencies, including serious accidents, food safety incidents and disease outbreaks.</p>	<p>Emergency planning and Out of hours responses</p>	<p>Mayor's Priority 2 & 3</p> <p>Sustainable Community Strategy priority 3, 4 & 6</p> <p>By maintaining preparedness ensure public safety and health</p>

3.2 Borough Health Key Performance Indicators – 2016/17

PI Code	PI Short Name	2014/15 Target	2016/17 Target
NH PRS 046	Satisfaction of businesses with local authority Regulatory Services' inspections, visits, actions to ensure businesses are compliant	75%	75%
NEW	Satisfaction of other service users with local authority Regulatory Services' inspections, visits and actions.	N/A	75%

3.3 Local Performance Indicators – 2015/16

Ref	Indicator	2015/16 Target	2016/17 Target
NH PRS 024	Percentage of premises licence applications determined and issued within 60 days from receipt of request.	80%	80%
NH PRS 025	Percentage of highways deposit refunds processed within 10 working days of request	90%	90%
NH PRS 026	Percentage of licensing enforcement requests/customer complaints actioned within 10 working days.	95%	95%
NH PRS 030	Percentage of service requests/consumer complaints about food businesses actioned within 10 working days.	95%	95%
NH PRS 034	Percentage of broad compliance for food hygiene (accumulative).	75%	80%
NH PRS 035	Percentage of unrated food premises inspected (excluding registered premises not yet trading).	100%	100%
NH PRS 036	Number of unrated food premises.	(reporting only)	
NH PRS 047	Percentage of Trading Standards service requests/customer complaints actioned within 10 working days.	96%	96%
NH PRS 051	Percentage of high risk premises inspected (Trading Standards)	100%	100%
NH PRS NEW	Percentage of high risk premises inspected (Licensing)	100%	100%

3.4 Regulatory Services Budget 2016 – 2017

Cost Centres	2015/16 Budget incl. Recharges	2016/17 Budget £ (excl. Recharges & Reserves)
Licensing	£25,894	£16,478
Trading Standards	£428,368	£371,623
Hackney Mortuary	£351,324	£350,561
Bereavement and Property Protection	£6,500	£5,500
Environmental Health	£638,797	£639,453
Total	£1,459,883	£1,018,965

The Service will draw down on reserves that have been rolled forward to deliver specific projects that have been prioritised.

4 Sign-Off of the Service Plan

Title	Name	Signed	Date
Head of Regulatory Services	Aleyne Fontenelle	<i>Aleyne Fontenelle</i>	12 May 2016
Interim Assistant Director, Planning & Regulatory Services	Cathy Gallagher	<i>Cathy Gallagher</i>	12/5/16
Group Director	Kim Wright	<i>Kim Wright</i>	16/5/16
Deputy Mayor	Cllr Sophie Linden	<i>Sophie Linden</i>	May 12 - 2016.

Agenda Item 7

Draft Work Programme of the Corporate Committee 2017/18

13 July 2017 - Cancelled				
	TITLE	DESCRIPTION	DECISION	GROUP DIRECTOR
1	HR Policy Review (if required)		To Approve	Tim Shields (Dan Paul)
2	Planning - Authority Monitoring Report 2016	The AMR provides monitoring information on spatial planning-related activity for the financial year 2016 to inform and monitor policy development and performance	For Information And Comment	Kim Wright (Ian Rae)

30 October 2017				
1	HR Policy Review (if required)		To Approve	Tim Shields (Dan Paul)
2	Pay Policy Review 2017/18	The Localism Act 2011 requires the Council to publish an annual pay statement for Chief Officer Pay.	To Approve (rescheduled from December 2017)	Tim Shields (Dan Paul)
3	Highways Obstruction and Enforcement (Tables and Chairs)	A verbal report on the enforcement action in relation to tables and chairs on the public highway	For Information And Comment	Wayne Stephenson

12 December 2017				
1	HR Policy Review (if required)		To Approve	Tim Shields (Dan Paul)
2	Environmental Enforcement - Annual Assessment Of The Local Environmental Quality Enforcement Strategy And Annual Performance Report 2016/17	The report sets out the annual performance report across the environmental enforcement remit for the 2015/16 financial year.	For Information And Comment (Deferred from October 2017)	Kim Wright Gerry McCarthy/ Wayne Stephenson
3	Regulatory Services Update	The Food Law Enforcement Service Plan (FLESP) is a statutory plan which sets out how the Council will undertake enforcement of food safety legislation.	For Information And Comment	Kim Wright
4	Planning - Authority Monitoring Report 2017	The AMR provides monitoring information on spatial planning-related activity for the financial year 2017 to inform and monitor policy development and performance.	For Information And Comment	Kim Wright (Ian Rae)

26 March 2018

1	HR Policy Review (if required)		To Approve	Tim Shields (Dan Paul)
2	Annual Report Of The Community Safety Team And Noise Nuisance	The annual report sets out the development of the Council's response to noise nuisance.	For Information And Comment	Kim Wright
3	Annual Review Of The Borough Wide Designated Public Places Order (DPPO)/ Public Spaces Protection Order	Annual report on the DPPO/ Public Spaces Protection Order.	For Information And Comment	Kim Wright