



CABINET

Monday, 15th July, 2019
at 6.00 pm

Council Chamber Hackney Town Hall, Mare Street, London E8 1EA

MAYOR AND CABINET (The Executive)

Councillors:

Mayor Philip Glanville (Chair)

Mayor of Hackney

Councillor Anntoinette Bramble (Vice-Chair)

Deputy Mayor of Hackney and Cabinet Member for Education, Young People and Children's Social care

Councillor Christopher Kennedy

Cabinet Member for Families, Early Years and Play

Councillor Jon Burke

Cabinet Member for Energy, Waste, Transport and Public Realm

Councillor Feryal Clark

Deputy Mayor and Cabinet Member for Health, Social Care, Leisure and Parks

Councillor Clayeon McKenzie

Cabinet Member for Housing Services

Councillor Guy Nicholson

Cabinet Member for Planning, Business and Investment

Councillor Rebecca Rennison

Finance and Housing Needs

Councillor Caroline Selman

Cabinet Member for Community Safety, Policy and the Voluntary Sector

Councillor Carole Williams

Cabinet Member for Employment, Skills and Human Resources

Mayoral Advisers:

Councillor Sem Moema

Private Renting and Housing Affordability

Tim Shields

Chief Executive

Contact: Jessica Feeney, Governance Services Officer

Tel: 020 8356 3338

jessica.feeney@hackney.gov.uk

Tel: 020 8356 1226

5 July 2019

The press and public are welcome to attend this meeting

NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY
REPRESENTATIONS RECEIVED AND THE RESPONSE TO ANY SUCH
REPRESENTATIONS

Whilst much of the business on the agenda for this meeting will be open to the public and media to attend, there will sometimes be business to be considered that contains, for example, confidential, commercially sensitive or personal information.

This is the formal 5 clear day notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to confirm that this Cabinet meeting will not be held partly in private.

The 28 clear day notice for this meeting was published last month in the Executive Meetings and Key Decisions Notice. This gave notice that there was no intention to meet in private after the public meeting to consider reports which contain exempt or confidential information.

ADDITIONAL MEETING INFORMATION

Meeting Dates

16 September 2019
16 October 2019
18 November 2019
16 December 2019
20 January 2020
17 February 2020
23 March 2020
20 April 2020

Public Involvement

The public have the right to ask questions or submit petitions or deputations to Cabinet meetings.

Contact Governance Services (Tel: 020 8356 1266) for further information on how this can be arranged. Or email: Jessica.feeney@hackney.gov.uk

Further information can also be found within Part 4 of the Council's Constitution (which can be seen on the website www.hackney.gov.uk at this link –

<http://mginternet.hackney.gov.uk/documents/s36746/4.4%20-%20Executive%20Procedure%20Rules.pdf>

Contact for Information

Jessica Feeney
Tel: 020 8356 1226
Email: jessica.feeney@hackney.gov.uk

CABINET AGENDA

Monday, 15th July, 2019

ORDER OF BUSINESS

1 Apologies for Absence

Item No	Urgent Business				
2	The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear. New items of Urgent Business will be dealt with under Item 17 below. New items of exempt business will be dealt with at Item 19 below).				
<table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Wards Affected</th> <th style="width: 50%;">Contact Officers</th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: center;">Administrator</td> </tr> </tbody> </table>		Wards Affected	Contact Officers		Administrator
Wards Affected	Contact Officers				
	Administrator				

Item No	Declarations of Interest - Members to Declare as Appropriate				
3	<p>A Member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:</p> <p>(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and</p> <p>(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.</p> <p>A Member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.</p> <p>Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 8.1-15.2 of Section Two of Part 5 of the Constitution and Appendix A of the Members' Code of Conduct.</p>				
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	Administrator				

Item No	Notice of Intention to Conduct Business in Private, Any Representations Received and the Response to Any such Representations

4

On occasions part of the Cabinet meeting will be held in private and will not be open to the public if an item is being considered that is likely to lead to the disclosure of exempt or confidential information. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (the "Regulations"), members of the public can make representations about why that part of the meeting should be open to the public.

This agenda contains exempt items as set out at **Item 18 : Exclusion of the Press and Public**. No representations with regard to these have been received.

This is the formal 5 clear day notice under the Regulations to confirm that this Cabinet meeting will be partly held in private for the reasons set out in this Agenda.

Wards Affected

Contact Officers

Administrator

5

Questions/Deputations/Petitions

Item No

Unrestricted Minutes of the Previous Meeting of Cabinet Held on 17 June 2019

6

To agree the minutes of the previous meeting of Cabinet held on 17 June 2019 **(Pages 1 - 6)**

Wards Affected

Contact Officers

Jessica Feeney
Governance Services Officer
Tel. 0208 356 1266

Item No

Unrestricted Minutes of Cabinet Procurement Committee held on 11 June 2019

7

To receive the minutes of the Cabinet Procurement Committee (CPC) held on 11 June 2019 - for noting only. **(Pages 7 - 14)**

Wards Affected

Contact Officers

Clifford Hart
Governance Services Officer
Tel. 0208 356 3597

Item No	Report of the Local Government & Social Care Ombudsman (LGSCO) – EHC PLANS (Reference 17 001 811 – Mr X)	
8	This report advises Cabinet that The Local Government & Social Care Ombudsman (LGSCO) has issued a report (Appendix 1) following an investigation of a complaint against the Council. The complaint related to the initiation & completion of an Education, Health & Care (EHC) needs assessment and the subsequent management of the EHC plan for a child with special educational needs.	(Pages 15 - 62)
Wards Affected		Contact Officers
		Hilary Smith Head of Strategy, Policy & Governance, Hackney Learning Trust T. 020 8820 7036

Item No	Report of the Local Government & Social Care Ombudsman (LGSCO) – EHC PLANS (Reference 17 009 505 – Mrs B)	
9	This report advises Cabinet that The Local Government & Social Care Ombudsman (LGSCO) has issued a report (Appendix 1) following an investigation of a complaint against the Council. The complaint related to the initiation & completion of an Education, Health & Care (EHC) needs assessment for a child with special educational needs, as well as the provision of support prior to completion of this assessment.	(Pages 63 - 98)
Wards Affected		Contact Officers
		Hilary Smith Head of Strategy, Policy & Governance, Hackney Learning Trust T. 020 8820 7036

Item No	Capital Update Report - Key Decision No. FCR P92	
10	This report on the capital programme for 2019/20 updates members on the capital programme agreed in the 2019/20 budget, and includes capital project approvals for Children, Adults and Community Health, Finance and Corporate Resources and Neighbourhoods and Housing (Non).	(Pages 99 - 118)
Wards Affected		Contact Officers
All Wards		Michael Honeysett, Director of Financial Management Tel: 020 8356 3611

Item No	2019/20 Overall Financial Position, Property Disposals and Acquisitions Report - Key Decision No. P93	
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11	This is the Overall Financial Position (OFP) report as at May 2019 and is based on detailed provisional outturn monitoring data from directorates. We are forecasting an overspend of £4,028k at year end.	(Pages 119 - 160)
Wards Affected		Contact Officers
All Wards		Russell Harvey, Senior Financial Control Officer Tel: 020 8356 3611

Item No	Housing Company – Allocation Policy, Tenancy Conditions and Board of Directors - Key Decision No. NHQ15	
12	This report seeks Cabinet’s approval to the Hackney Housing Company lettings policy which, subject to Resolution by the Company Board of Directors, will be adopted in order to prioritise applicants for Hackney Living Rent and Private Rent homes.	(Pages 161 - 208)
Wards Affected		Contact Officers
All Wards		James Goddard, Head of Housing Strategy & Policy Tel. 0208 356 3766

Item No	A Place for Everyone - Hackney Voluntary and Community Sector Small Grants 2019/20 Second Round - Key Decision No. CE P85	
13	This report outlines for Cabinet the recommendations for the second of two rounds of small grants awarded through the 2019/20 Voluntary and Community Sector (VCS) Grants Programme.	(Pages 209 - 242)
Wards Affected		Contact Officers
All Wards		Claire Witney, Community Investment and Partnerships Manager Tel: 020 356 3630

Item No	Abney Park Restoration Project - Key Decision No. NH P55	
14	This report seeks Cabinet’s endorsement for the restoration proposals for Abney Park, which will be submitted to the National Lottery Heritage Fund (NLHF) in 2019	(Pages 243 - 274)
Wards Affected		Contact Officers
Stoke Newington		Ian Holland, Head of Leisure and Green Spaces Tel: 0208 356 3810

Item No	Cabinet Appointments to Outside Bodies 2019/20	
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15	This report asks Cabinet to confirm the proposed appointments outside bodies for 2019/20.	(Pages 275 - 276)
Wards Affected		Contact Officers
		Tess Merrett, Governance Manager Tel: 020 8356 3432

Item No	Schedule of School Governor Appointments	
16	This report seeks Cabinet's consideration of nominees to School Governor vacancies.	(Pages 277 - 278)
Wards Affected		Contact Officers
		Tess Merrett, Governance Manager Tel: 020 8356 3432

Item No	New Items of Unrestricted Urgent Business	
17	To consider any items admitted at Item 2 above.	
Wards Affected		Contact Officers

Item No	Exclusion of the Press and Public	
18	<p><u>Note from the Governance Services Manager</u></p> <p>There are no other exempt items relating to matters being considered in the unrestricted part of the proceedings.</p> <p>In the event of there being any exempt items of urgent business the following resolution will be proposed by The Mayor.</p> <p>PROPOSED RESOLUTION:</p> <p>That the press and public be excluded from the remainder of the meeting as the exempt item(s) of urgent business to be considered at Item 19 contain exempt information, as defined under the exemption paragraphs of Part 1, Schedule 12A of the Local Government Act 1972.</p>	
Wards Affected		Contact Officers

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Item No	New Items of Exempt Urgent Business
19	To consider any EXEMPT items admitted at Item 2 above.
Wards Affected	Contact Officers

Access and Information

Location

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

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 Assembly Halls, Rooms 101, 102 and 103 and the Council Chamber.

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

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 from the Governance Services Officer whose contact details are shown on page 2 of the agenda.

Council & Elections Website – www.hackney.gov.uk

The Council & Elections 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

DEMOCRATIC PROCESS

Representation

Contact details for all Councillors are available on the website or by calling 020 8356 3373.

Ward Councillors may be contacted at their surgeries or through the Members' Room at the Town Hall (020 8356 3373).

You may also write to any Councillor or a member of the Cabinet c/o Hackney Town Hall, Mare Street, London E8 1EA.

Scrutiny Procedures

Details are listed in Part 4 of the Council's constitution, see the website for more details or contact the Head of Overview and Scrutiny on 020 8356 3312

Executive Meetings and Key Decisions Notice

The procedure for taking Key Decisions is listed in Part 4 of the Council's Constitution, available on the website (www.hackney.gov.uk).

The Executive Meetings and Key Decisions Notice showing Key Decisions to be taken is available on the Council's website. If you would like to receive a paper copy please contact Governance Services (Tel: 020 8356 6279). Or email: governance@hackney.gov.uk

Emergency Procedures

In case of fire or any other emergency the Head of Governance Services or his/her nominated officer will ensure orderly evacuation of all those present in the meeting room. All Members Officers and members of the public should proceed without delay to the assembly meeting point near the car park at the back of the Town Hall where the nominated officer will conduct a count of all who have been evacuated to ensure that all are safe.

Advice To Members And Officers On Handling Exempt Papers

- Do not photocopy
- Store securely for as long as you hold it
- All papers can be given to Governance Services Officers who will dispose of them appropriately and arrange for them to be recycled
- Note that copies of all exempt papers are held by Governance Services staff.

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, Legal & Governance;
- 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:

- i. Is of a description specified in regulations made by the Secretary of State and either:
 - a) Is an interest of yours, or
 - b) Is an interest of
 - Your spouse or civil partner
 - A person with whom you are living as husband and wife, or
 - A person with whom you are living as if you were civil partners

And you are aware that that other person has that interest

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

- i.
- ii. If you attend a meeting and are aware that you have a disclosable pecuniary interest in any matter to be considered, or being considered, at that meeting, you must subject to the sensitive interest rules, disclose that interest to the meeting and, unless you have obtained a dispensation, you cannot participate in any further discussion on the matter and must leave the meeting room whilst the matter is under discussion and takes place.
- ii. 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 interest on any matter on the agenda which is being considered at the meeting?

A Member will have 'other interests' in a matter if:

- i. A Member is a member of an external body, this must be disclosed on the interests form and declared at meetings.
- ii. When contractual, financial, consent, permission or licence matters are under consideration relating to an external body on which you sit as a Member, such an interest must be declared and you cannot participate in the meeting as a Member of the Committee and must leave the meeting whilst the matter is under discussion and takes place
- iii. When contractual, financial, consent, permission or licence matters are under consideration and you have actively engaged in supporting an individual or organisation on the matter, you cannot participate in the meeting as a member of the Committee and must leave the meeting whilst the matter is under discussion and takes place.
- iv. Where a Member has received a gift or hospitality with an estimated value of at least £25, this must be disclosed on the register of interests form and declared at meetings.

4. If you have other interests in an item on the agenda you must:

- i.
- ii. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- iii. 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.
- iv. 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.
- v. 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, Director of Legal and Governance on 020 8356 6234 or email suki.binjal@hackney.gov.uk



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