

Decisions listed below that are Key Decisions will come into force and may then be implemented on the expiry of 5 clear working days after unless called-in by at least 5 non-executive members in writing and submitted to the Monitoring Officer.

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Part A – Items considered in public

4	Notice of intention to conduct business in private, any representations received and the response to any such representations	NOTED
6	Unrestricted minutes of the previous meeting of Cabinet held on 15 July 2019	<p>RESOLVED</p> <p>That the unrestricted minutes of the Cabinet held on 15 July 2019 be confirmed as an accurate record of the proceedings.</p>
7	LBH Britannia - Phase 2 Residential Project - Key Decision No. FCR P47	<p>RESOLVED:</p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> <li data-bbox="869 1129 1995 1230">I. Agreed to commence a single stage tender process using the restricted procedure provided for within the Public Contracts Regulations 2015 for the construction of Britannia Phase 2a, as outlined in paragraph 4.4. <li data-bbox="869 1267 2074 1394">II. Agreed to the disposal of the shared ownership and outright sale homes delivered as part of Britannia Phase 2a in accordance with the Sales and Marketing Strategy report of the 18 July 2016 in respect of the direct development and disposal of those homes.

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		<p>III. Granted authority to the Group Director of Neighbourhoods to implement the sales and marketing strategy.</p> <p>IV. Agreed to commence the procurement of a separate enabling works contract for the Britannia Phase 2a site to allow the groundworks to be delivered within the 2019/2020 academic year school holidays, minimising the impact on Shoreditch Park Primary School. In line with the provision of the Contract Standing Orders, the contract award report for the separate enabling works contract will be presented to Cabinet Procurement Committee in March 2020.</p> <p>REASONS FOR DECISION</p> <p>This report outlines the process for procuring a main contractor and entering into a single stage design and build contract for Britannia Phase 2a in the Hoxton East and Shoreditch Ward. The recommended procurement route is to follow a restricted process compliant with the Public Contract Regulations 2015. As the pre-tender estimate for this contract is above the OJEU threshold for works, the process of engaging the market will be achieved by advertising the project through issuing a Contract Notice and on Contracts Finder. This will be the most effective way to attract the interest of construction firms capable of undertaking the works.</p> <p>The Britannia masterplan (including Phase 2a) secured planning permission on 7 December 2018 (Planning reference: 2018/0926), which enables the construction phase of the project to commence. In line with the primary objectives of the project, the first phase of development was to build the new council leisure centre and secondary school on the site of the existing leisure centre (including the hard courts on Shoreditch Park).</p>

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		<p>By delivering the new Council leisure centre, the project is able to unlock the rest of the existing leisure centre site for market sale development. This is key to the financial business case and enables the cross-subsidy required to pay for the new social infrastructure. As developer, the Council is able to prioritise the social infrastructure and affordable housing. It is also able to ensure that the maximum benefit of the market sale income is channelled into tangible benefits for the area. This first phase of work is underway.</p> <p>The development of the Phase 2a site represents an opportunity to complete the affordable housing element of the Britannia Masterplan as well as delivering a new Early Years Centre.</p> <p>Britannia Phase 2a comprises the following:</p> <ul style="list-style-type: none"> ● 48 Council social rent homes ● 33 Council shared ownership homes ● 12 outright sale homes ● A new Early Years Centre ● Associated public realm and landscape works. <p>The parcel of land to be developed forms part of the Shoreditch Park Primary School’s playground and currently also hosts Anthology’s sales and marketing suite, which was being utilised to sell the homes in the two residential towers on the Colville Estate. Anthology’s lease has expired and the site can be cleared and hoarded to undertake additional ground condition surveys from early next year.</p> <p>The primary school is having their play areas re-provided and upgraded, as well as receiving a financial contribution through the Unilateral Undertaking for the Britannia scheme.</p>

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		<p>The construction of the site will have to be carefully managed with logistics being well thought through and considered in respect to the proximity of the primary school.</p> <p>Bidders will be required to offer a fixed contract price for building out the whole of the Phase 2a scheme. The form of contract to be used will be the. For the enabling works, bidders will be required to offer a fixed contract price for the groundworks. The form of contract to be used will be the 2016 JCT Design and Build Contract with Hackney Council amendments.</p> <p>A pre-tender cost plan has been prepared for the Council by its Quantity Surveyor (QS), Core 5, setting out the estimated costs of construction. This also includes the enabling works. Please refer to Exempt Appendix 1.</p> <p>The estimated costs are based on a pre-tender stage estimate and are based on developed designs to RIBA Stage 4. The pre-tender cost plan will be reviewed and updated prior to issuing the construction works procurement package, which is scheduled for October 2019 and the enabling works procurement package which is scheduled for October 2019.</p> <p>The Council proposes to act as developer for the outright sale and shared ownership homes and directly dispose of all relevant homes on a leasehold basis. The Council's Sales and Marketing Strategy that has been developed and authorised by Cabinet enables the Council to market and dispose of shared ownership and outright sale homes directly to individuals. Using in-house expertise we can demonstrate value for money and ensure that the homes are marketed to the local community, giving people</p>

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		<p>living and working in the borough priority to access a suitable home of their choice. The profile of Hackney Council as a developer of new homes for sale and the Hackney Sales brand is being strengthened with each project delivered. The Council’s in-house sales team, Hackney Sales, can demonstrate a track record of success across a number of projects within the ERP.</p> <p>Under the General Consent 2013 the Council only has powers to sell dwellings to purchasers who do not intend to immediately sub-let. This potentially limits the pool of available purchasers. If the Council wishes to complete disposals to individual investors or private rented sector operators, an application to the Secretary of State would be required. A review of these options will be considered in the sales strategy. This will only be considered as part of a risk management strategy, as the Council’s preference remains to sell homes to owner occupiers.</p> <p>At current market values only a proportion of the outright sale homes would be eligible for buyers under the Government’s Help to Buy Shared Equity scheme. This scheme has been significantly beneficial to sales progress with recent schemes and therefore is a consideration. Also, it should be noted that it is not known at present whether the government will continue funding Help to Buy after 2023.</p> <p>Should sales not achieve the forecast values, or in the case of reservations be slower than expected, alternative strategies (as set out in the Risk Section below and which are not included in the current Sales and Marketing Framework) will need to be considered to maintain the viability of the overall Britannia scheme and General Fund, some of which may require Cabinet approval.</p> <p>For the construction works the estimated value of the work is over the EU threshold for</p>

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		<p>works contracts and a procurement process compliant with The Public Contract Regulations 2015 (the Regulations) must be followed. Using the restricted procedure provided for within the Regulations is the recommended method of procuring the proposed building works, as it gives a wide range of suitable contractors the opportunity to tender, and also provides a framework in which best value can be obtained in terms of both price and quality. For the enabling works as the value is below the OJEU threshold, the contractor will be procured from an approved list of contractors who have the relevant skills and experience.</p> <p>A soft market testing exercise was carried out in December 2018 to consider the likely level of interest in this scheme, if it was procured as a single stage OJEU Design and Build contract.</p> <p>The recommendation reflects market knowledge and feedback from the soft market testing. 11 contractors responded positively to the proposed procurement route. A cohesive, consistent in-house approach to sales and marketing provides a transparent and customer focused method for the delivery of projects such as Britannia, which deliver new build outright sale and shared ownership homes that can be accessed by priority groups.</p>
8	General Exception - Bridport House – Progress Update	<p>RESOLVED:</p> <p>The Cabinet agreed:</p> <ul style="list-style-type: none"> I. That remedial works will be undertaken to correct the defects identified in the original construction of Bridport House. II. The rehousing offer to residents (attached as Appendix 1, which will be

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		<p>implemented by the dedicated Rehousing Team), and that, in line with this, all residents of Bridport House will be provided with suitable alternative accommodation before remedial works are undertaken.</p> <p>III. To delegate to the Group Director, Neighbourhoods and Housing, in consultation with the Mayor and the Cabinet Member, authority to agree any necessary changes to the rehousing offer to residents (attached as Appendix 1).</p>
9	Capital Update Report - Key Decision No. FCR P94	<p>RESOLVED:</p> <p>That the schemes for Finance and Corporate Resources as set out in section 9.2 be were approved as follows:</p> <p>NHS Estate: Resource and spend approval of £200k (£37k in 2019/20 an£163k in 2020/21) to fund the feasibility and project management costs To develop Hackney’s Primary Care Estate.</p> <p>That the schemes for Neighbourhoods and Housing (Non) as set out in section 9.3 were approved as follows:</p> <p>Park Trees 2019/20: Spend approval of £200k in 2019/20 is requested to undertake essential work on diseased and dangerous trees borough wide.</p> <p>Highways Surface Water Drainage 2019/20: Spend approval of £280k in 2019/20 is requested to facilitate the delivery of the 2019/20 water drainage programme at various locations across the borough.</p> <p>Bridge Maintenance Schemes 2019/20: Spend approval of £250k in 2019/20 is</p>

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		<p>requested for the continuation of the 5 year Bridge Maintenance Programme in the borough.</p> <p>Planned Bridge Height Signs 2019/20: Spend approval of £11k in 2019/20 is requested to install advance warning signs for low height bridges at various sites within the borough.</p> <p>Local Highway Maintenance - Pothole Action Fund: Resource and spend approval of £320k in 2019/20 is requested for the continued repair of potholes at various sites within the borough.</p> <p>Street Lighting Upgrades 2019/20: Spend approval of £100k in 2019/20 is requested to upgrade the existing street lights located across the entire borough.</p> <p>Highways Street Lighting LED Upgrades 2019/20: Spend approval of £1,250k in 2019/20 is requested to upgrade the highways street lighting located across the entire borough.</p> <p>Hostile Vehicle Mitigation: Spend approval of £1,401k in 2019/20 is requested to install Hostile Vehicle Mitigation (HVM) to 8 sites across the borough.</p> <p>Parks Infrastructure 2019/20: Spend approval of £375k in 2019/20 is requested to fund essential maintenance and refurbishments to the existing parks infrastructure.</p> <p>Fairfields Gardens & Haggerston Play: Resource and spend approval of £300k in 2019/20 is requested to fund the redevelopment of Fairchild's Gardens and the refurbishment of the play area in Haggerston Park.</p>

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		<p>That the S106 schemes as set out in section 9.4 and summarised below be given resource and spending approval as follows:</p> <table border="1"> <thead> <tr> <th align="center">S106</th> <th align="center">2019/20</th> </tr> </thead> <tbody> <tr> <td></td> <td align="center">€'000</td> </tr> <tr> <td>Capital</td> <td align="center">187</td> </tr> <tr> <td>Total S106 Resource and Spend Approvals</td> <td align="center">187</td> </tr> </tbody> </table> <p>That the schemes outlined in section 9.5 be noted.</p> <p>REASONS FOR DECISION</p> <p>The decisions required are necessary in order that the schemes within the Council's approved Capital programme can be delivered as set out in this report.</p> <p>In most cases, resources have already been allocated to the schemes as part of the budget setting exercise but spending approval is required in order for the scheme to proceed. Where however resources have</p>	S106	2019/20		€'000	Capital	187	Total S106 Resource and Spend Approvals	187
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10	2019/20 Overall Financial Position, Property Disposals and Acquisitions Report - Key Decision No. FCR P95	<p>RESOLVED:</p> <p>That the Cabinet</p> <ul style="list-style-type: none"> i. Updated the overall financial position for July 2019, covering the General Fund, Capital and the HRA, and the earmarking by the Group Director of Finance and Corporate Resources of any underspend to support funding of future cost pressures and the funding of the Capital Programme. 								

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		<p align="center">ii. Approved the business as usual savings noted at 2.4 and set out in Appendix 1.</p> <p>REASONS FOR DECISION</p> <p>To facilitate financial management and control of the Council's finances and to approve the business as usual savings.</p>
11	Neighbourhood Community Infrastructure Levy (CIL) and Regulation 123 List Updates - Key Decision No. NH P16	<p>RESOLVED:</p> <p>That the Cabinet approved:</p> <p align="center">I. the commencement of the process for replacing the CIL Regulation 123 List with an Annual Infrastructure Funding Statement (AIFS) to set out the Council's priorities for CIL spend; and</p> <p align="center">II. the creation of a borough wide neighbourhood CIL fund</p> <p>REASONS FOR DECISION</p> <p>To ensure that structures and processes are in place to best deliver the infrastructure needs of Hackney's communities and to comply with new legislation</p>
12	South Shoreditch Conservation Area Proposed Extension	<p>RESOLVED</p> <p>That the Cabinet approved:</p>

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		<ul style="list-style-type: none"> • the proposed minor extension of the South Shoreditch Conservation Area; • the addendum to the South Shoreditch Conservation Area Appraisal; • the revised South Shoreditch Conservation Area Boundary. <p>REASONS FOR DECISION</p> <p>The proposed extension area lies at the south-east corner of the existing South Shoreditch Conservation Area at the junction of Bishopsgate and Commercial Street. The extension area is bounded by the existing conservation area to the west and the former Bishopsgate Goods Yard to the north. To the south is the low level mainline railway into Liverpool Street and to the east is the London Borough of Tower Hamlets (see Appendix 2, Map of Extended South Shoreditch Conservation Area).</p> <p>The proposed extension area contains a number of buildings, spaces and features of architectural and historic interest (as outlined in Appendix 1, Addendum to South Shoreditch Conservation Area Appraisal) including :</p> <p>21 – 26 Shoreditch High Street Two storey Edwardian parade with commercial units at the ground floor. The buildings are faced in red brick with pitched roofs and a single, large central window to each bay.</p> <p>27 – 31 Shoreditch High Street Four storey former bank, circa 1850s with cornices at each floor level and decorative, dentilled cornice at parapet level. Timber sash windows with stone surrounds on the upper floors.</p>

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		<p>32 Shoreditch High Street Four storey former pub, last known as the Unicorn PH, circa 1850s. Cornices at each floor level with decorative, dentilled cornice at parapet level. Windows appear to have been remodelled from their Victorian originals but retain a traditional appearance. The building has been the subject of unauthorised advert hoardings for many years.</p> <p>167 – 169 Commercial Street Four storey building, circa 1850s with cornices at each floor level and decorative, dentilled cornice at parapet level. Timber sash windows with stone surrounds at upper levels.</p> <p>Boundary Wall on Commercial Street Single storey brick wall associated with Great Eastern Railway. Blue engineering brick at base with yellow stock above and red brick detail incorporating 5 recessed bays. These buildings are of a similar age, appearance and character to those within the South Shoreditch Conservation Area and the proposed extension will give the existing conservation area a more coherent boundary.</p> <p>Whilst the area immediately west of the site was incorporated into the extended South Shoreditch Conservation Area in 2011, the proposed extension area was not fully surveyed at that time. This appears to have been an oversight, possibly because the buildings were mistakenly thought to be part of a neighbouring borough. Nevertheless, the extension merits inclusion in the South Shoreditch Conservation Area, and meets the statutory criterion for designation under Section 69 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, that the area be of 'special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. The work carried out for the Local Plan and Future Shoreditch AAP brought to attention the fact that the proposed extension area met the criterion for designation set by Section 69 (1) and prompted consideration of extending the conservation area boundary.</p>

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		<p>The extension of the conservation area will have various consequences. Buildings within the area will be protected from uncontrolled demolition, and their setting will be safeguarded by the requirement for a higher standard of design for new development. Certain permitted development rights will be withdrawn, for example, for minor roof alterations, dormer windows and satellite dishes. Control over the erection of advertisements and signs will be greater, and the Council must be notified in advance of any proposed works to trees in the area. The Council could withdraw further permitted development rights by making Article 4 directions as appropriate.</p> <p>Extension of the conservation area would mean that the buildings within the proposed extension could not be demolished without the Council's consent. However, this is not the consideration which should inform the decision to extend the conservation area. The primary consideration upon this review of the conservation area boundary is whether it is desirable to preserve or enhance the architectural and historic qualities of the proposed extension area owing to its special interest of character and appearance.</p> <p>Legal Powers</p> <p>The Council has the legal powers for this course of action. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities from time to time to determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and to designate those areas as conservation areas.</p> <p>Section 69 (2) places a duty on local planning authorities from time to time to review the past exercise of functions under this section and to determine whether any parts or further parts of their area should be designated as conservation areas, and if they so determine, to designate</p>

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		<p>those parts accordingly. The present proposal arises out of this duty.</p> <p>Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities, in the exercise of their planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.</p> <p>The conservation area character appraisal is taken into account when exercising decision making functions within the planning process, and in appeals against refusals of conservation area consent for demolition and refusals of planning permission in a conservation area.</p> <p>Decision-making principles</p> <p>The proposal conforms to Council's principles of decision-making and public consultation. The property owners, occupiers and other key stakeholders with an interest in property within the proposed extension area have been invited to comment on the proposal as part of a 21 day consultation exercise. The initial designation of the conservation area in 1991 (and extension in 2011) and the adoption of its appraisal was also done following public consultation with residents and other stakeholders.</p> <p>The proposed extension of the conservation area would also be published in the London Gazette and one local newspaper circulating in the Hackney area.</p> <p>The proposed extension covers a small area and accordingly this report is relatively short, with more detail provided in the appendices.</p> <p>The proposal takes account of Historic England guidance on conservation areas, <i>Conservation Area Appraisal, Designation and Management</i>, 2019.</p>

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		<p>The extension is consistent with human rights. Although it introduces additional controls, planning applications are individually assessed on their own merits and any other relevant applicable considerations can be taken into account during the assessment of such applications.</p> <p>The extension will further the Council's aim to conserve its historic environment, and produce a more rationally-defined conservation area.</p>
13	The City & Hackney system's summary response to the NHS Long Term Plan - An Update	<p>RESOLVED</p> <p>That the Cabinet noted the City & Hackney system response to the NHS Long Term Plan.</p>
14	Cabinet response to the Children and Young People Scrutiny Commission on support for LGBT+ students in Hackney	<p>RESOLVED</p> <p>That the Cabinet noted the response to the Children and Young People Scrutiny Commission on support for LGBT+ students in Hackney</p>
15	Appointment of Chair Schools Board	<p>RESOLVED:</p> <p>That the Cabinet noted the recommendation from the nomination committee, and confirms the appointment of the Chair of the Hackney Schools Group for a term of three years commencing on 1 October 2019 as set out in the exempt appendix.</p>
16	Schedule of Local Authority School Governor Appointments	<p>RESOLVED:</p> <p>That the Cabinet approved the school governor nomination.</p>
17	Appointments to Outside Bodies	<p>RESOLVED:</p>

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		That the Cabinet approved the appointment to Outside Bodies.
A1		
A2		