



CABINET

Monday, 16th December, 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: Clifford Hart, Governance Services Officer

Tel: 020 8356 3597

Clifford.hart@hackney.gov.uk

Tel: 020 8356 3597

6 December 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

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 3597) for further information on how this can be arranged. Or email: Clifford.hart@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

Clifford Hart
Tel: 020 8356 3597
Email: Clifford.hart@hackney.gov.uk

CABINET AGENDA

Monday, 16th December, 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 13 below. New items of exempt business will be dealt with at Item 16 below).

Wards Affected

Contact Officers

Administrator

Item No Declarations of interest - Members to declare as appropriate

3 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:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

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.

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.

Wards Affected

Contact Officers

Administrator

Item No Notice of intention to conduct business in private, any representations received and the response to any such representations

4	<p>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.</p> <p>This agenda contains exempt items as set out at Item 14 : Exclusion of the Press and Public. No representations with regard to these have been received.</p> <p><u>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.</u></p>
Wards Affected	
Contact Officers Administrator	
5	Questions/Deputations
Item No	Unrestricted minutes of the previous meeting of Cabinet held on 18 November 2019
6	To agree the minutes of the previous meeting of Cabinet held on 18 November 2019. (Pages 1 - 12)
Wards Affected	
Contact Officers Clifford Hart Governance Services Officer Tel :0208 356 3597	
Item No	Unrestricted minutes of Cabinet Procurement Committee held on 7 October 2019
7	To receive the unrestricted minutes of the Cabinet Procurement Committee (CPC) held on 7 October 2019 - for noting only. (Pages 13 - 22)
Wards Affected	
Contact Officers Clifford Hart Governance Services Officer Tel :0208 356 3597	
Item No	Schedule of Local Authority School Governor appointments
8	To agree the School Governor appointments.
Wards Affected	
Contact Officers	

Item No	Capital update report - Key Decision No. FCR Q1
9	This report updates Members on the current position of the Capital Programme and seeks spending and resource approval as required to enable officers to proceed with the delivery of those schemes as set out in section 9 of this report. (Pages 23 - 30)
Wards Affected	Contact Officers
All Wards	Michael Honeysett, Director of Financial Management Tel: 020 8356 3611
Item No	Overall financial position, property disposals and acquisitions report (October 2019) - Key Decision No. FCR Q2
10	This is the fourth Overall Financial Position (OFP) report for 2019/20 and is based on detailed October 2019 provisional outturn monitoring data from directorates. We are forecasting an overspend of £6,080k at year end. (Pages 31 - 50)
Wards Affected	Contact Officers
All Wards	Russell Harvey, Senior Financial Control Officer Tel: 020 8356 3611
Item No	Introduction of motorbike charging Key Decision No. NH P58
11	This report seeks Cabinet's approval to commencing consultation with the general public for a period of twelve weeks in January 2020, in respect of motorcycle parking proposals that will align motorcycle parking permits across all parking products and services. (Pages 51 - 72)
Wards Affected	Contact Officers
All Wards	Gossica Anichebe Interim Policy and Programme Manager Parking and Markets Service/Street Trading Tel: 020 8356 3213
Item No	Appointments to Outside Bodies
12	The schedule lists appointments to outside bodies.
Wards Affected	Contact Officers
Item No	New items of unrestricted urgent business

13	To consider any items admitted at Item 2 above.	
Wards Affected		Contact Officers
Item No	Exclusion of the press and public	
14	<p><u>Note from the Governance Services Manager</u></p> <p>Item 15 allows for the consideration of exempt information in relation to item 7.</p> <p>Proposed resolution:</p> <p>THAT the press and public be excluded from the proceedings of the Cabinet Procurement Committee during consideration of Exempt items 15-16 on the agenda on the grounds that it is likely, in the view of the nature of the business to be transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972 as amended.</p>	
Wards Affected		Contact Officers
15	Exempt minutes of Cabinet Procurement Committee held on 7 October 2019	(Pages 73 - 76)
Item No	New items of exempt urgent business	
16	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 3597). Or email: Clifford.hart@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 of 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



FS 566728



MINUTES OF A MEETING OF THE CABINET

HELD ON MONDAY, 18TH NOVEMBER, 2019 AT
COUNCIL CHAMBER HACKNEY TOWN HALL, MARE STREET, LONDON E8 1EA

Present: Mayor Philip Glanville in the Chair

Councillors
Deputy Mayor Anntoinette Bramble (Vice-Chair)
Cllr Christopher Kennedy
Cllr Jon Burke
Cllr Clayeon McKenzie
Cllr Guy Nicholson
Cllr Rebecca Rennison
Cllr Caroline Selman
Cllr Carole Williams

Officers: Tim Shields, Chief Executive
Anne Canning, Group Director Children, Adults and
Community Health, CYPS
Ian Williams, Group Director of Finance and Corporate
Resources
Ajman Ali, Interim Director of Neighbourhoods and Housing
Dawn Carter-McDonald, Head of Legal and Governance
Jessica Feeney, Governance Services Officer

Apologies: Councillor Feryal Clark and Councillor Sem Moema

A one minute silence was held for former Councillor Muriel Purkiss who had sadly passed away.

1.	Apologies for Absence
	Apologies for absence were received from Councillor Moema and Deputy Mayor Clark.
2	Urgent Business
	There were no items of urgent business.
3	Declarations of interest - Members to declare as appropriate
	All members declared a non-pecuniary interest in respect of item 13, as a fellow

Councillor, Susan Fajana Thomas was listed for re-election as a School Governor.

4 Notice of intention to conduct business in private, any representations received and the response to any such representations

Noted.

5 Questions/Deputations

There were no questions/deputations.

6 Unrestricted minutes of the previous meeting of Cabinet held on 16 October 2019

The minutes of the Cabinet meeting held on the 16 October 2019, were approved as a correct record.

7 Capital Update Report - Key Decision No. FCR P98

The Mayor introduced the report.

RESOLVED:

That the re-profiling of the budgets as detailed in para 9.2 and Appendix 1 be approved as follows:

Summary of Phase 1 Re-profiling	To Re-Profile 2019/20	Re-Profiling 2020/21	Re-Profiling 2021/22	Re-Profiling 2021/22
	£'000	£'000	£'000	£'000
Children, Adults & Community Health	(14,258)	13,771	287	200
Finance & Corporate Resources	(23,451)	23,451	0	0
Neighbourhood & Housing (Non)	(6,696)	6,696	0	0
Total Non-Housing	(44,405)	43,918	287	200
Housing	(42,780)	42,780	0	0
Total	(87,186)	86,699	287	200

That the capital programme adjustments summarised below and set out in detail in para 9.3 be approved accordingly.

Summary of Capital Adjustments	Budget 2019/20	Change 2019/20	Updated 2019/20
	£'000	£'000	£'000
Non-Housing	18,138	(1,506)	16,632
Housing	44,704	(0)	44,704
Total	62,842	(1,506)	61,336

REASONS FOR DECISION

	<p>The decisions required were necessary in order that the schemes within the Council's approved Capital programme could be delivered as set out in this report.</p> <p>In most cases, resources had already been allocated to the schemes as part of the budget setting exercise but spending approval was required in order for the scheme to proceed. Where however resources had not previously been allocated, resource approval was requested in this report.</p>
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8	<p>2019/20 Overall Financial Position, Property Disposals and Acquisitions Report - Key Decision No. FCR P99</p>
	<p>Councillor Rennison introduced the report to Members.</p> <p>The Mayor advised that there was an exempt appendix at item 17. He asked members if they would like to move into an exempt session to raise any points of clarification on the exempt appendix. Members did not have any points of clarification therefor the meeting did not move into an exempt session.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> I. That the updated overall financial position for September, covering the General Fund 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 be noted; II. That approval be given to the recommendations for acquisition of the leasehold as set out in Exempt Appendix 1 of the report; III. That subject to final inspection of the reconfigured works at Ivy House, 279 Seven Sisters Road, N4 for Temporary Accommodation by Property and Customer Services a lease rent of £1,090,007p.a. equating to £7,630,049 over the 7-year term and the management agreement fee of £204,376 p.a. equating to £1,430,632 over the 7-year term be agreed; IV. That the settlement of the Landlord's dilapidations claim in the sum of £789,000 arising from the lease dated 6 June 2013 for nil consideration be agreed; V. That it be noted that to pay the stamp duty (SDLT) due for the 7-year lease less a day, expected to be £81,750; VI. That authority be delegated to the Director of Strategic Property and the Director for Customer Services any variation to the rent and management agreement fee from any further reconfiguration of the units and any associated impact on the SDLT payment. <p>REASONS FOR DECISION</p> <p>To facilitate financial management and control of the Council's finances and to approve the two property proposals.</p>

9	<p>Woodberry Down Phase 2-8 Variation to Principal Development Agreement - Key Decision No. NH Q18</p>
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	<p>The Mayor introduced the report.</p> <p>Reasons for Decision</p> <ol style="list-style-type: none"> I. The reasons for the decision had arisen out of a need to ensure that the development at Woodberry Down continued to progress in line with the target programme, and that much needed, high quality housing continued to be delivered. II. The partners recognised that there were a number of issues in the current variation of the PDA. Firstly, the triggers for the submission of planning applications in the current PDA were out of sync with the triggers for submission of Reserved Matters Planning Applications as set out in the masterplan. In order to bring the two documents back into alignment, both the triggers in the PDA and the 2014 masterplan needed to be revised. The variation to the PDA had introduced an obligation for the developer to carry out and bring forward future phases in a timely manner, rather than wait until certain long stop dates were reached. The partners would also be carrying out a review of the masterplan that would commence as soon as practicable. III. Secondly, in order for the regeneration to progress, each phase needed to be viable. Phase 3 had a high proportion of scheme costs attributed to it, including the Combined Heat and Power (CHP) system and improvements to Seven Sisters Road. In order to make the phase viable, the revision to the PDA also included an amendment to the overage clause to allow 'forecast' overage from the previous phase (in this case Phase 2) to cross-subsidise the next phase of development. This amendment, known as 'Formula 4', was intended to ensure the development could progress in line with the target programme, rather than waiting until the previous phase was fully completed before any overage could be drawn upon. To further support viability, a revised planning application which optimises Phase 3 had recently been submitted, and the remainder of the masterplan for Phases 4 to 8 would also be reviewed. IV. Thirdly, it was recognised that the decision making and accountability for the project could be improved. The partners had therefore proposed the introduction of a Steering Group to ensure strategic issues could be dealt with in a formal and transparent way. <p>The last major report to Cabinet on the Woodberry Down PDA was in December 2014. It was therefore considered timely for an update to be provided on the progress achieved on the project to date, in order to continue to adhere to the principles of good governance.</p>

<p>10</p>	<p>Inclusive Economy Strategy 2019-2025 - Key Decision No. CE Q22</p>
	<p>Councillor Williams introduced the report to members, in doing so she thank Councillor Nicholson for all his hard work. The Mayor also echoed Councillor Williams's comments and thanked the Officer who had worked on the report.</p> <p>RESOLVED:</p>

1. For Cabinet to adopt the Hackney Inclusive Economy Strategy 2019-2025

2. For Hackney to adopt the Fairer Hackney Business Toolkit that supported the objectives of the Strategy

Reason for the decision

Why we developed the Local Inclusive Economy Strategy

When we carried out extensive community engagement to develop a new Community Strategy for our borough, we found high levels of local concern about poverty and inequality in and around the borough. As a result, we made a specific commitment in Hackney's Community Strategy to produce a new economic development strategy focused on increasing local prosperity and generating community wealth here in Hackney.

This new draft Inclusive Economy Strategy is our response. It set out in more detail our goals for economic *and* community development and place making in and around our borough, and it did this in ways that built on the strengths of the much valued existing community networks, local institutions and local businesses here in the borough.

This Strategy built on the work the Council had been doing since 2016 to actively intervene in our local economy to help make Hackney a more economically sustainable place and to drive the social and economic changes we wanted to see in the borough. It set out ways the Council was leading by example as a major local employer and also using local assets, the levers and partnerships we had to best effect to raise local prosperity and benefit everyone in our diverse community.

Our goal over the next few years was to harness the efforts of all of those involved in shaping our local economy to help create the right conditions for balanced and equitable economic development. This included those involved in education and skills, businesses, development, entrepreneurs and social enterprises. It was also essential that we drew on residents' experiences to better understand the aspirations that residents of all ages had for their working lives and their aspirations for the area they lived in as well as for town and commercial centres.

Many of the challenges in the economy were beyond our direct control and were the result of globalisation and structural changes in the labour market. As part of our strategy we set out how we would use our influence and campaign and lobby to respond to the dynamics and opportunities that arose; maximising the opportunities of existing and further devolution. We were committed to building partnerships with other local public services, local partners, neighbouring boroughs, Transport for London and the Greater London Authority and authorities and partnerships in the wider South East to achieve this, as well as working with businesses, developers and landowners that operate across the wider region, but were active in Hackney.

The Fairer Hackney Toolkit had been developed alongside the Strategy. It set out our offer to the business community, in terms of how we made it easy to do business with the Council. We also suggested a range of ways that we could work in partnership to deliver a truly inclusive economy in Hackney, by offering good quality job opportunities, inclusive employment, procurement and business practices, apprenticeships and placements as well as working more broadly together on a shared business agenda. This was being published as an appendix of the Inclusive Economy Strategy and, following approval by Cabinet would be promoted to businesses.

How we developed the strategy

The process for the development of this Strategy started with:

- Desk based research to update Hackney's Local Economic Assessment including business and enterprise, economic activity, employment and self-employment, employment and occupations, worklessness and benefits and qualifications
- A review of wider literature on approaches to Local Economic Development and the wider policy context for this work
- Desk based reviews of recent existing insight and engagement work carried out by the Council, the Council's Scrutiny Commission Skills, Economy and Inclusive Growth and other community insight reports.

Key services across the Council responsible for economic development including the Area Regeneration Service, Employment and Skills Service and Policy and Partnerships Service (the officer group) were involved in the development of a skeleton outline for the Strategy.

This was then shared and tested at a Stakeholder Workshop hosted by Hackney Council's Skills, Economy and Growth Scrutiny Commission in March 2019 at Here East in Hackney Wick.

A full consultation draft was developed in April 2019 and shared and tested further with those services that are key to the success of the Strategy.

This work has also been influenced by ongoing collaboration with Hackney based academics from University College London's Institute for Global Prosperity and their work on Local Prosperity in neighbourhoods in East London around the Queen Elizabeth Park including Hackney Wick.

In line with Hackney's Consultation Charter, there was formal public consultation on the Draft Hackney Inclusive Economy Strategy 2019-2025 between 2nd July 2019 and 19th August 2019. The aim was to add value and complement engagement which had already taken place. In general the draft Strategy has been well received. There was broad support for putting the focus of our work on tackling inequality and poverty and for the emphasis on working with the local community to design and deliver this work. The changes we had made as result of the residents' focus group and the public consultation were relatively minor and were detailed in the Consultation section of this report.

The three intersecting priorities in the Strategy

The Strategy was structured around three intersecting, strategic priorities. Each section of the Strategy focused on one strategic priority and included wider context and analysis on the challenges now, a summary of the longer term goals and the steps we needed to take to achieve these and then a summary of work we were already doing and new or future areas of work. Our intention was that work on any one priority would have a positive impact and support the goals and the work going on under the other two priorities.

Strategic Priority 1: Support local neighbourhoods and town centres to thrive and to be inclusive, resilient places

This section celebrated the diverse, progressive, inclusive community spirit that the borough was long renowned for and acknowledged this was what made our local economy vibrant. It reflected on the enormous changes the borough and the local economy had experienced in the last fifteen years; including the growth in new businesses particularly in the highly skilled technical, creative, professional business services and the increase in the numbers of highly skilled, younger people moving in to the borough. At the same time it flagged the growing unaffordability of living and working in the borough and underlined that economic development here has not benefited everyone in our community as well as it might or led to

a balanced local economy yet. It set out how we were already taking action to help support more balanced, sustainable growth and economic development within our borough. The Council also committed to taking action to make sure the widest possible range of people here benefitted more directly from future development in the borough.

Strategic Priority 2: Champion and support local business and social enterprise in Hackney and protect and maximise the delivery of affordable workspace in the borough

This section of the strategy celebrated that local small businesses were the majority of Hackney's business base and that they played a vital role in our local economy. It reflected on the recent successes of newer tech, creative and business services sectors in Hackney's main economic centres, particularly in Shoreditch and acknowledged the importance of workspace providers and community sector organisations in Dalston. It acknowledged that these two factors had led to some specific issues in the borough including rising commercial rents and affordability issues for existing businesses, perceptions of polarisation between different types of businesses (and between businesses and residents) and the feeling that for some, the economic growth and benefits of new businesses in the borough was not benefitting as many residents and businesses as it should. It committed the Council to securing specific benefits which would benefit as many residents, communities and businesses as possible.

The Council had developed a toolkit which set out our offer to the business community, in terms of how we made it easy to do business with the Council. We also suggested a range of ways that we could work in partnership to deliver a truly inclusive economy in Hackney, by offering good quality job opportunities, inclusive employment, procurement and business practices, apprenticeships and placements as well as working more broadly together on a shared business agenda. This was being published as an appendix of the Inclusive Economy Strategy and following approval by Cabinet would be promoted to businesses.

Strategic Priority 3: Connect residents to high quality employment support and opportunities to learn new skills, get good quality well paid work and progress their career throughout their working life

This section of the strategy acknowledged that our borough had seen more new business set up here, higher rates of employment and lower levels of unemployment and economic inactivity. However, it flagged that at the same time the UK as a whole had experienced low growth in household earnings since the recession and a rise in in-work poverty. Also that the nature of employment was changing, with the rise of part-time employment and insecure forms of employment including temporary and zero hours contracts. These trends meant the London labour market was 'hollowing out', with an increasing concentration of highly skilled, well paid jobs and low-paid, low skilled service sector jobs but fewer progression opportunities in between. This section acknowledged that some groups of local residents had experienced more disadvantages in the labour market including some Black and Minority Ethnic residents, some former Looked After Children, some older workers and some disabled people. It underlined the need to continue to collaborate with the business community, education providers and local communities to widen participation and open up decent work opportunities in newer industries.

The Council was committed to making sure that all our residents saw more benefits from the employment and skills opportunities in and around Hackney. Our approach was ambitious, but we could not have the kind of impact we wanted to have on this agenda working alone.

To make a sustained impact we needed to increase not just the number but the quality and the range of employment opportunities such as apprenticeships, in and around the borough. To achieve this we needed to work more in partnership with the community, training providers, and a more diverse range of business and employers here.

This table summarised the main outcomes, objectives and actions under each of these three priorities.

Our goal is to develop an Inclusive Local Economy		
Strategic priorities		
Priority 1. Support local neighbourhoods and town centres to thrive and to be inclusive and resilient places.	Priority 2. Champion and support local business and social enterprise in Hackney and protect and maximise the delivery of affordable workspace in the borough.	Priority 3. Connect residents to high quality employment support and opportunities to learn new skills, get good quality, well paid work and progress their career throughout their working life.
Outcomes		
<p>A more balanced, sustainable economy with less inequalities between different neighbourhoods.</p> <p>The right urban and community infrastructure that meets local need.</p> <p>A greater connection between the economic opportunities in the borough and our communities.</p>	<p>Promoting and supporting a diverse range of local businesses and enterprises to thrive and choose to remain in Hackney</p> <p>Supporting smaller businesses and their place in Hackney's economy, from start up to scale up.</p> <p>Businesses become rooted in Hackney, investing, prospering and supporting the Council and communities create an inclusive economy.</p>	<p>People are better placed to secure job and business opportunities regardless of their background and they feel more positive about their prospects.</p>
Objectives		
Strategic Priority 1	Strategic Priority 2	Strategic Priority 3
Take an area regeneration approach which creates better places for people, physically, economically, culturally and socially.	Protect existing affordable workspaces and promote the delivery of a range of new affordable business workspaces.	Promoting an Inclusive Leadership culture and improving workforce diversity Raise working conditions

<p>Support high streets and town centres to diversify and thrive.</p> <p>Strengthen partnerships between public services and third sector organisations on the ground to improve reach, engagement, well being and inclusivity.</p> <p>Promote digital inclusion and improve digital connectivity in town centres and in neighbourhoods around the borough.</p> <p>Promote environmental sustainability, reducing emissions and improving the quality of life in town centres and neighbourhoods around the borough.</p>	<p>Make it easy to do business with the Council.</p> <p>Ensure excellent business support and access to finance is available for local businesses.</p> <p>Be the champion for local businesses making sure their voice is heard in regional and national debates about business and the economy.</p> <p>Work with local businesses through the 'toolkit' to work together and create an inclusive economy in Hackney.</p>	<p>and protect workers rights in our own organisation and in our own supply chains.</p> <p>Increase the number and diversify the range of pathways into good quality employment, offering fair pay.</p> <p>Ensure these pathways are accessible to residents experiencing economic barriers and disadvantages.</p> <p>Maximise opportunities arising from the devolution of the Adult Skills Budget to London, ensuring that these opportunities are inclusive, meet our skills gaps and the needs of local people.</p>
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How we will deliver the commitments this strategy

This strategy set out the strategic priorities for the Council and its work to promote inclusive economic development in and around Hackney over the next five years. It also set out high level principles for how we would collaborate with others on these priorities.

Throughout the Strategy we have signalled newer areas of work planned for the next five years. We have also said we would explore or trial new ways of delivering this work. We have deliberately not set out upfront detail on all the ways we could deliver on these priorities at the beginning of this five year period. Instead we want to collaborate and get input from key stakeholders as we design and deliver this work in different places around the borough.

Residents and other stakeholders told us during the engagement and public consultation that they wanted to see more details on how we would act on and deliver the commitments we have made in this strategy and also asked how we would better communicate new economic opportunities. We would develop a communications and engagement plan to actively promote opportunities for the local community and other stakeholders.

A steering group of senior Council Officers would monitor delivery of the actions that the Council committed to take. The Council would also report annually on progress made to the Hackney Community Strategy Partnership Board, which was our local Strategic Partnership.

The Council would also look at ways we can proactively share learning about what worked and what did not work, as we rolled out this work in places and amongst networks around the borough.

	<p>Once we have developed a new set of Inclusive Economy metrics, we would also publish these. We would use these wider measures of our local economy as a tool to help review progress made towards achieving the vision and priorities in this strategy.</p> <p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</p> <p>The Hackney Community Strategy committed the Council to taking a new approach to economic and community development and to securing greater community benefits from the development and growth going on in the borough. There was no requirement on Local Authorities to engage and produce a Local Economic Development Plan or a Local Industrial Strategy.</p> <p>We chose to develop this Inclusive Economy Strategy to set out the Council’s strategic priorities on local economic development which would increase local prosperity and secure more community benefits from development and growth here so that everyone here could share in the successes of the local economy. It would focus our efforts on the work we believed the Local Authority was best placed to lead in our locality, in collaboration with local institutions, and our local community.</p>
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<p>11</p>	<p>Review of Lea Bridge Conservation Area - Non Key Decision</p>
	<p>Councillor Nicholson introduced the report to members.</p> <p>RESOLVED:</p> <p>That approval be given to the Draft Lea Bridge Conservation Area Appraisal & Management Plan (Appendix A) and Draft Lea Bridge Conservation Area Map (Appendix B) for a six week consultation with residents and other stakeholders.</p> <p>REASONS FOR DECISION</p> <p>This decision was required in order to ensure that the area’s heritage was recognised and a full and up to date conservation area appraisal clearly set out the area’s qualities and identified threats and weaknesses.</p> <p>This decision was required in order to ensure that guidance was in place in the form of a management plan that provided ways to address weaknesses in the conservation area and added to its special interest and character.</p> <p>This decision was required in order to ensure that the conservation area boundary accurately reflected the special character and historic context of this area and ensured that appropriate protection was in place.</p> <p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</p> <p>Consideration was given to extending the Lea Bridge Conservation Area to only include the Middlesex Filter Beds to the east of the River Lea. However, this was rejected as the Millfields Recreation Grounds to the west of the existing conservation were considered to be equally important in terms of historic interest and contribution to the open setting of the historic core of 19th century buildings.</p> <p>The option of doing nothing was rejected as the 2017 Conservation Areas Review identified a need to review existing conservation areas where the special architectural and historic interest justified it, in line with national legislation.</p>

12	Proposed Brownswood Conservation Area - Non Key Decision
	<p>Councillor Nicholson introduced the report to members.</p> <p>RESOLVED:</p> <p>That approval be given to the Draft Brownswood Conservation Area Appraisal & Management Plan (Appendix A), Draft Brownswood Conservation Area boundary (Appendix B) and proposed Article 4 Direction for a six week consultation with residents and other stakeholders.</p> <p>REASONS FOR DECISION</p> <p>This decision was required in order to ensure that the area’s special architectural and historic interest was recognised and a full and up to date conservation area appraisal clearly set out the area’s qualities and identified threats and weaknesses.</p> <p>This decision was required in order to ensure that guidance was in place in the form of a management plan that provided ways to address weaknesses in the conservation area and added to its special interest and character.</p> <p>This decision was required in order to ensure that the conservation area boundary accurately reflected the special character and historic context of this area and ensured that appropriate protection was in place.</p> <p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</p> <p>Consideration was given to extending the proposed Brownswood Conservation Area to include Blackstock Road. However, this was rejected as the buildings on Blackstock Road have undergone considerable alterations, particularly at ground level where there were no surviving historic shopfronts. Moreover, the boundary of the London Borough of Hackney and London Borough of Islington ran through the centre of the road, with no proposals for Islington to designate.</p> <p>The option of doing nothing was rejected as the 2017 Conservation Areas Review identified a need to review existing conservation areas where the special architectural and historic interest justified it, in line with national legislation.</p>

13	Schedule of Local Authority School Governor appointments						
	<p>Deputy Mayor Bramble introduced the report, she thanked all the School Governors for all their hard work.</p> <p>RESOLVED:</p> <p>That the Cabinet approved the following re-nominations as set out below.</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">Governing Body</th> <th style="text-align: center;">Name</th> <th style="text-align: center;">Date Effective</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Governing Body	Name	Date Effective			
Governing Body	Name	Date Effective					

	Ickburgh School	Pat Corrigan (LA Gov)	On-going re-nomination
	Soaring Skies Federation	Dona Henriques (LA Gov)	On-going re-nomination
	Grasmere Primary School	Susan Fajana Thomas (L.A Gov)	On-going re-nomination

14	Appointments to Outside Bodies
	There were no appointments to outside bodies.

15	New items of unrestricted urgent business
	There were no new items of urgent business.

16	Exclusion of the press and public
	Members did not have any points of clarification for items 17 and 18, therefore the meeting did not move into an exempt session.

17	2019/20 Overall Financial Position, Property Disposals and Acquisitions Report - Key Decision No. FCR P99
	Members did not have any points of clarification.

18	Woodberry Down Phase 2-8 Variation to Principal Development Agreement - Key Decision No. NH Q18
	Members did not have any points of clarification.

19	New items of exempt urgent business
	There were no new items of exempt urgent business.

Duration of the meeting: 6.00 - 6.15 pm

Mayor Philip Glanville
Chair at the meeting on
Monday, 18 November 2019



UNRESTRICTED MINUTES OF A MEETING OF THE CABINET PROCUREMENT COMMITTEE

MONDAY, 7TH OCTOBER, 2019

Chair	Councillor Rebecca Rennison in the Chair
Councillors Present:	Councillors Deputy Mayor Anntoinette Bramble, Cllr Jon Burke and Cllr Caroline Selman
Apologies:	Nil
Officers in Attendance	Mr Rotimi Ajilore – Head of Procurement Ms Zainab Jalal – Category Lead Social Care Ms Susan Carran - Category Lead (Corporate Services), Finance & Corporate Resources Ms Karen Tait-Lane - Category Lead (Construction & Environment) Mr Sean Eratt – Senior Lawyer – Procurement Mr Gareth Wall – Head of Commissioning – Children, Adults & Community Health (CA&CH) Ms Beverley Gachette - Senior Commissioner – (CA&CH) Mr Ross Tuckley – Business Development and Support Manager (CA&CH) Ms Abisola Ifasawo – Business Manager (CA&CH) Ms Maria Zazovskaya - Resource Manager Children and Families Placement Management Unit (CA&CH) Mr Robert Koglek - Interim Head of Service, Children, Adults and Community Health Ms Pauline Adams - Principal Head of Early Help & Prevention (CA&CH) Ms Dawn Cafferty - Strategic Procurement Manager, Finance & Corporate Resources Mr Clifford Hart – Governance Services Officer

1 Apologies for absence

At 19.00hrs, in the absence of the Chair (Councillor Rennison) the Clerk to the proceedings sought a nomination for the Chair of the meeting for either the duration of the proceedings or until the Chair arrived.

Councillor Burke nominated Councillor Bramble .

There being no other nominations Councillor Bramble took the Chair nemine contradicente.

NOTED

COUNCILLOR BRAMBLE IN THE CHAIR

There were apologies for lateness from Councillor Rennison and Selman.

NOTED

2 Urgent Business

There were no items of urgent business.

NOTED

3 Declarations of Interest - Members to declare as appropriate

There were no declarations of interests at the commencement of the meeting.

Clerk's note

Upon arrival and during consideration of Item 7 the Chair (Cllr Rennison) declared a non prejudicial interest.

NOTED

4 Notice of intention to conduct business in private, any representation received and the response to any such representations

There were no representations received.

NOTED

5 Deputations/Petitions/Questions

There were no Deputations/Petitions/Questions.

NOTED

6 Unrestricted minutes of the previous meeting of Cabinet Procurement Committee held on 9 September 2019

RESOLVED

That the unrestricted minutes of the Cabinet Procurement Committee held on 9 September 2019 be confirmed as an accurate record of the proceedings.

At this point in the proceedings (6.07pm) the Chair MOVED an adjournment of the meeting for a period of ten minutes or until the arrival of the sitting Chair – Councillor Rennison – whichever was the earlier.

The MOTION was carried nemine contradicente.

The Committee adjourned at 6.08pm.

Councillors Rennison and Selman arrived at 6.10pm, and the Committee reconvened.

7 Housing First Contract Award Report - Key Decision No. CACH Q11

The Chair asked for a brief introduction of the report.

The Head of Commissioning for Adult Services – Mr Wall advised the Committee that the report before it sought approval to award a contract for an integrated housing-related support service in the London Borough of Hackney and City of London. The service delivered support to people with multiple and complex needs associated with entrenched street homelessness (rough sleeping), including mental ill health, offending behaviour, substance misuse and personality disorders. The procurement process had ensured that the service would be innovative, efficient and fit for the future, promoting independence, increasing quality of life and helping people re-engage in their local communities.

Mr Wall commented that the contract was due to commence in January 2020 and would be delivered for one year with the option to extend for one plus one years.

Following the introduction of the report Councillor Bramble relinquished and Councillor Rennison took the Chair.

COUNCILLOR RENNISON IN THE CHAIR

The Chair asked if there were any points of clarification from members.

In response to questions from Members, Ms Gachette - Senior Commissioner – Adult Services advised that tender selection process had involved a six core members panel who had evaluated all of the questions (excluding the financial scoring) from City & Hackney CCG, LBH commissioning, LBH adult services and City of London commissioning. Following assessment/evaluation the tender panel recommended that Provider A be awarded the contract for Housing First. It was the case that Provider A demonstrated that they would be able to meet the full requirements of the specification and that they understood the model.

In response to further points of clarification Ms Gachette further advised that whilst there had only been one bidder, the panel scored the quality bid and the panel acknowledged that this was a reflection of the challenges in procuring suitable accommodation. It was a fact that the bidder demonstrated high levels of awareness of the needs of a Housing First client, highlighting their experience of delivering the model in other London boroughs, and showcasing the success they had achieved in supporting clients to obtain positive outcomes and sustain tenancies.

Ms Gachette also commented that the preferred provider submitted a bid that included suitable independent accommodation which was crucial to successful delivery of the model, but also a challenge in London where there was a current severe housing shortage. The bidder had also presented a detailed and relevant mobilisation plan alongside a realistic risk assessment with moderations, giving the commissioners reassurance that this provider would be able to manage the significant service model and their obligations to the proposed contract.

In respect of local employment opportunities Ms Gachette advised that the provider was committed to provide opportunities in the area, and in line with the London living wage.

With regard to future funding Ms Gachette commented that in terms of identifying sources it was the case that the Government had signalled the need to tackle and address the issue of homelessness and officers were therefore confident that further funding sources would be identified.

There being no further questions, on a **MOTION** by the Chair it was:

RESOLVED

That approval be given to the awarding the contract for the City & Hackney Housing First Service to Provider A, as detailed in the exempt appendix to the report, and that the total cost of the provision to be £214,338 for a period of one (1) year with an option to extend for a further two (2) years (1 + 1 + 1 years), representing a whole contract value of £656,544.

RELATED DECISIONS

Cabinet Procurement Committee agreed to the procurement of this service on 12th September 2018. A reference to the Business Case can be found at the link:

Re-tendering of Housing Related Support Contracts - Key Decision No. CACH P9
<http://mginternet.hackney.gov.uk/mgAi.aspx?ID=32105>

REASONS FOR DECISION/OPTIONS APPRAISAL

The purpose of the service described in this report is to deliver intensive, wraparound, person-centred, housing-related support to 20 entrenched rough sleepers enabling them to move away from marginalised and chaotic lifestyles. By providing access to stable, independent housing to a cohort traditionally excluded from this type of accommodation, service users will have the opportunity to address their support needs, thus reducing pressure on the Council's homeless services.

Traditional homeless hostels deliver support that is transactional; using a support plan that is jointly agreed with their support worker, service users move towards stability and independence by engaging with interventions that help them achieve their personal goals. This model delivers successful outcomes for the majority of service users, who eventually move into their own home after completing their support journey. There is, however, a cohort for whom this approach is unsuccessful. Housing First inverts the journey from street homeless to stably housed by delivering accommodation before support needs have been addressed.

Housing First provides self-contained, independent housing with access to high levels of person-centred housing related support as required. Placing an emphasis on tenancy sustainment, service users will experience a support journey that is self-directed, enabling them to address their support issues at their own pace, without fear of being penalised for not following a prescribed support journey.

A relatively new model, this service is an alternative for those with a history of entrenched rough sleeping/homelessness and complex needs, those who typically 'revolve' through services without achieving positive outcomes.

City & Hackney Housing First also represents real collaboration between City & Hackney CCG, London Borough of Hackney and the City of London, demonstrating the partner's commitment to integrating Health and Local Authority services.

An evaluation of existing Housing First services in the UK has found that they deliver better outcomes than other support options and are more cost effective than special hostels or general needs shared accommodation¹. The model also has the potential to deliver significant savings to health and other public services.

1

https://hfe.homeless.org.uk/sites/default/files/attachments/Evaluation%20of%20nine%20services%20in%20England_0.pdf

8 Re-Tender of Adults Learning Disabilities Supported Living Scheme at Homer And Wick Roads - Key Decision NO. CACH Q21

The Chair asked for an introduction of the report.

The Head of Commissioning for Adult Services – Mr Wall advised the Committee that the report before it proposed the award of contract to a single organisation for the continued provision of Adults Learning Disabilities Supported Living Schemes at Homer and Wick Roads. As the Committee may recall the report was brought back to Cabinet Procurement Committee in December 2018 following further consideration and comment in relation to bringing the contract back ‘in house’.

Mr Wall highlighted that the proposal would provide services for a group of vulnerable residents with complex needs in the London Borough of Hackney, helping them to maintain independent living arrangements, and avoiding the use of residential placements outside of the borough. It would also provide the appropriate level of social support and care to improve the quality of life for residents and assist them to maintain their own tenancies as part of the scheme, and furthermore people would also be able to develop their independent living skills; work towards fulfilling personal goals; and make connections within their communities, preventing isolation and social exclusion.

With regard to the length of the contract Mr Wall advised that it was the intention for the new contract to commence in January 2020, and that it was anticipated that a three month mobilisation period would be required. The contract length was for five years with the option to extend for a further two years. The new total contract value would be £7.63m, with an annual contract value of £1.09m.

Concerning the tender submission and evaluation Mr Wall informed the meeting that twelve submissions were received in total and following a full assessment of the SQ, six had passed all of the related questions, including an experience-based question relating to the delivery of a supported living scheme to adults with profound and multiple learning disabilities (PMLD). Mr Wall advised that that the tender assessment process consisted a tender panel evaluation comprising core members from the Adults Commissioning team, plus an expert by experience, a finance panel for scoring the pricing element, and an additional panel that scored a 15 minute presentation made by each bidder.

Mr Wall reported that during the clarification period set aside for questions, a large number of enquiries were received regarding TUPE. Due to the number of TUPE clarification questions and the delayed response that resulted from requests to the existing provider, made by organisations wishing to tender, it there had been an extension to the closing date from 4 June to 17 June 2018 (an extension of 9 working days).

In conclusion Mr Wall advised that it was recommended that Provider D as detailed in the exempt appendix be awarded the contract for the Supported Living Services at Homer and Wick Roads. Provider D had demonstrated that it would be able to meet the full requirements of the specification and understood the needs of this service as evidenced through experience in delivering similar contracts elsewhere in London.

The Chair, in welcoming the report, and in asking if there were any questions from members, sought clarification as regards local employment opportunities.

In response Mr Wall advised that as detailed in the report some of the commitments made by the successful bidder included advertising locally to generate sustainable employment opportunities (paying LLW at minimum) for Hackney Residents, together with supporting local community through purchasing goods and services from local suppliers, promoting work experience opportunities with schools, colleges and initiatives i.e ‘Hackney 100, and providing Health and Social Care apprenticeships for local people.

There being no further questions from the Committee, on a **MOTION** by the Chair it was:

RESOLVED

That approval be given to the awarding of a contract for the Adults Learning Disabilities Supported Living Service at Homer and Wick Roads to Provider D as detailed in the exempt appendix to the report, and that the total cost of the provision will be £5.45m for a period of five (5) years with an option to extend for a further 2 years at a total cost of £7.63m (5 + 1 + 1 years).

RELATED DECISIONS

Cabinet Procurement Committee agreed to the procurement of this service at its meeting on 10 December 2018. A reference to the business case and the minutes of that meeting can be found at the link below:

- Business Case: Adults Learning Disabilities Supported Living Scheme at Homer and Wick Roads (Key Decision No CACH P46):
<http://lbhmgovapp01/documents/s63242/101218%20CPC%20FINALHomerWick.pdf>

REASONS FOR DECISION

This report proposes that the Adults Learning Disabilities (LD) Supported Living Services for Homer and Wick Roads will deliver the following key benefits to the Council:

- Supporting service users to access community services and become engaged citizens of the local community (Bridging the gap).
- Working with Hackney People First to support individuals to develop self-advocacy skills.

The current contract for provision of care and support at these schemes was due to end on 31 December 2018, however there was a six month option to extend until 30 June 2019, which has been invoked along with an additional extension to 31 December 2019. Therefore a new contract for care and support needs to be tendered.

Homer Road and Wick Road are two supported living properties for potentially 18 tenants with learning disabilities. Currently there are 17 tenants (one who is placed from out-of-borough), plus one void. The landlord for these properties is Peabody Housing.

The tenants in both of these schemes are primarily those with profound and multiple learning disabilities. They have long term high needs and significant communication difficulties. Some have significant health needs and challenging behaviour; some come under Continuing Health Care provision, which is funded by the NHS.

The service users at this scheme require long-term and often specialist support. Many are unable to communicate their needs, and have reduced mental capacity to make decisions around their care and support. Advocacy has been provided to ensure users are actively engaged in shaping the support service they need. Also, several of the service users are becoming older people and as such the needs of this user group are likely to increase.

9 Delegated Authority report Information Item residential contract award

The Chair advised the Committee that the item was for information as the delegated authority had been taken, and the purpose of the report was to advise the Committee of this action. The Chair asked for an introduction of the report.

Monday, 7th October, 2019

The Resource Manager for Children & Families Placement Management Unit – Ms Zazovskaya advised the Committee that the overall proposal as set out in the report detailed an exciting opportunity to join with seven London Boroughs to jointly commission local residential provision for Looked after Children. This initiative would make a significant difference in the way that children and young people experienced residential care. Currently most children who, because of their needs, required a placement within a specialist provision such as a residential children's home, were placed at a considerable distance from home.

Ms Zazovskaya commented that Children's homes were able to provide support and care for some of Hackney's most vulnerable children and young people. The Council wanted each child in its care to be provided with the right placement at the right time, and for residential care to be a positive and beneficial choice for children and young people. By working together with other Local Authorities there was an opportunity to deliver significant improvements to the outcomes for children in residential care. By improving availability in the North East London footprint, it would ensure that children were kept closer to home and their communities, and were supported by highly skilled staff and experience culturally appropriate placements.

Ms Zazovskaya advised that Hackney would work closely with partner Local Authorities and providers to focus on valuing Hackney's young people's heritage, promoting family and sibling contact and community ties and therefore making the transition back home, or supporting young people onto independence in the local community, easier. There was a legal obligation under the Children Act 1989 to provide suitable accommodation for Looked after Children and fulfil the corporate parenting duty. It was the collective responsibility of the Council, elected members, employees and partner agencies to provide the best possible care and safeguarding for the children who are looked after by London Borough of Hackney.

Ms Zazovskaya further commented that the contract recommended would deliver 35 residential children home placements in the North East London footprint that would offer better outcomes for children and young people and best value for Local Authorities through achieving economies of scale through a block contract. As well as strong contract management arrangements there would be a strong process in place to avoid or minimise voids. 5 of these places were for Hackney.

Ms Zazovskaya went to state that the proposed long term outcomes of the project included increasing the sufficiency of suitable placements, piloting sub regional commissioning arrangements with the view of expanding this to other Local Authorities in the future and, increasing value for money for Local Authorities. This would ultimately, partly address some of the cost pressure on the service. The service would also support young people's rehabilitation back to a family environment if appropriate, support young people to develop independent living skills, meet demand for emergency placements, ensure placements are more stable and deliver better outcomes for children and young people. The proposed scheme would in part address the lack of suitable provision in North East London, and address the commissioning difficulties all the partner Local Authorities had faced when sourcing residential children's homes. Hackney would ensure the focus remained on education by supporting children and young people to maintain their school places and peer networks.

Ms Zazovskaya concluded that the Contextual Safeguarding Team based in Hackney continued to be a valuable resource by supporting to keep children safe in their communities.

Monday, 7th October, 2019

By keeping children and young people closer to Hackney it would ensure that there was continuity in the services offered to young people such as clinical services, ensuring that young people struggling with their mental health get the support that they would need. By creating more service provision in East London there would also be the creation of job opportunities for local people.

The Chair thanked Ms Zazovskaya for her detailed and informative introduction, and asked if there were any specific points from members.

Councillor Bramble placed on record her thanks to officers and their efforts in becoming part of the partnership and the very detailed and considerable work that had been embarked upon to achieve the aims of the project.

In response to clarifications from Councillor Burke Ms Zazovskaya responded that in terms of ensuring health and wellbeing, and full access to the school environs, and accessing of benefits, as this was a new project all aspects of had been looked into. The project was being managed by an expert provider in the field – Woodford Homes, in Redbridge, every aspect of the proposed offer had been evaluated and tested and assessed. The process had included focus groups with service users where their views and concerns had been noted, and discussed.

There being no further questions the Chair asked that the report be noted.

RESOLVED

That the delegated authority in respect of the residential contract award for the joint commissioning of residential children's homes for looked after children across north east London be noted.

- 10 Any other Unrestricted Business the Chair considers to be urgent

There were no items of unrestricted urgent business.

NOTED

- 11 Date of future meetings

NOTED

The remaining meetings of the Cabinet Procurement Committee for the Municipal Year 2019/20 will be held at 5.00pm on:

4 November 2019
2 December 2019
13 January 2020
10 February 2020
11 March 2020
6 April 2020
11 May 2020 – new meeting

- 12 Exclusion of the public and press

RESOLVED

THAT the press and public be excluded from the proceedings of the Cabinet Procurement Committee during consideration of Exempt items 13-17 on the agenda on

Monday, 7th October, 2019

the grounds that it is likely, in the view of the nature of the business to be transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972 as amended.

SUMMARY OF EXEMPT/CONFIDENTIAL PROCEEDINGS

- 13 Exempt Minutes of the previous meeting of Cabinet Procurement Committee held on 9 September 2019

AGREED – the EXEMPT minutes of the Cabinet Procurement Committee held on 9 September 2019.

- 14 Housing First Contract Award Report - key Decision No. CACH Q11

AGREED – the exempt Appendix A in relation to agenda item 7 in the unrestricted part of the agenda.

- 15 Re-Tender of Adults Learning Disabilities Supported Living Scheme at Homer And Wick Roads - Key Decision NO. CACH Q21

AGREED – the exempt Appendix 2 in relation to agenda item 8 in the unrestricted part of the agenda.

- 16 Delegated Authority report Information Item residential contract award

AGREED – to note the exempt Appendix 1A in relation to agenda item 9 in the unrestricted part of the agenda.

- 17 Information Item - briefing on Hackney Young Carers Project (HYCP)

AGREED – to note the briefing.

- 18 Any other Exempt Business the Chair considers to be urgent

Nil

Duration of the meeting: 18:00HRS – 18.32HRS

Contact:
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<p>Capital Update Report</p> <p>KEY DECISION NO. FCR Q1</p>	
<p>CABINET MEETING DATE</p> <p>16 Dec 2019</p>	<p>CLASSIFICATION:</p> <p>Open</p> <p>If exempt, the reason will be listed in the main body of this report.</p>
<p>WARD(S) AFFECTED</p> <p>All Wards</p>	
<p>CABINET MEMBER</p> <p>Philip Glanville, Mayor of Hackney</p>	
<p>KEY DECISION</p> <p>Yes</p> <p>REASON</p> <p>Spending or Savings</p>	
<p>GROUP DIRECTOR</p> <p>Ian Williams Finance and Corporate Resources</p>	

1. CABINET MEMBER'S INTRODUCTION

- 1.1 This report on the capital programme for 2019/20 updates members on the capital programme agreed in the 2019/20 budget.
- 1.2 Our Community Strategy 2018 – 2022 set-out our promise to always keep up-to-date with new technologies that help run our services more efficiently, and in our Corporate Plan we made clear our mission to be a productive and efficient council. In this report, we set-out significant investment in the continuing development and modernisation of our ICT infrastructure, which will help meet these promises to our residents. The new infrastructure will help our residents deal with the council efficiently, will we also reduce our costs and be more productive through the use of modern cloud based technology, using open source systems and tools allowing us to be more innovative and independent of complex proprietary systems that can be increasingly inflexible. Agile development of web-based applications will help seamless coordination of property, resident and transaction history data, to improve the level of our service and meet our vision of a council that seeks to always provide the best possible service for our residents, including the most vulnerable.
- 1.3 This report also provides for the allocation of s106 funding to the Woodberry Down Children's Centre, replacing the temporary extension for the structure with a new, permanent home and thus providing a much improved facility for the residents and users in the community, as part of the ongoing regeneration and growth of the Woodberry Down Estate and its community. It is another example of how – in the national context of austerity and the closing of children's centres – we continue to invest in our children and young people, are meeting our manifesto promise to maintain a comprehensive offer to the children and families of Hackney, and to give every child the best start in life.

2. GROUP DIRECTOR'S INTRODUCTION

- 2.1 This report updates Members on the current position of the Capital Programme and seeks spending and resource approval as required to enable officers to proceed with the delivery of those schemes as set out in section 9 of this report.

3. RECOMMENDATION(S)

- 3.1 **That the schemes for Finance and Corporate Resources as set out in section 9.2 be given approval as follows:**

ICT Development of Cloud Based REST Application Program Interfaces (API)s: Virement and Spend approval of **£1,200k (£600k in 2019/20 and £600k in 2020/21)** to fund the Council's Corporate ICT development of cloud based APIs (connectors to system databases) to enable secure real time integration of data over the internet.

- 3.2 **That the S106 schemes as set out in section 9.3 and summarised below be given resource and spending approval as follows:**

S106	2019/20 £'000	2020/21 £'000	Total
	£'000	£'000	£'000
Capital	0	1,271	1,271
Total S106 Resource and Spend approvals	0	1,271	1,271

3.3 That the schemes outlined in section 9.5 be noted.

4. REASONS FOR DECISION

4.1 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.

4.2 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 not previously been allocated, resource approval is requested in this report.

5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

None.

6. BACKGROUND

6.1 Policy Context

The report to recommend the Council Budget and Council Tax for 2019/20 considered by Council on 25 February 2019 sets out the original Capital Plan for 2019/20. Subsequent update reports considered by Cabinet amend the Capital Plan for additional approved schemes and other variations as required.

6.2 Equality Impact Assessment

Equality impact assessments are carried out on individual projects and included in the relevant reports to Cabinet or Procurement Committee, as required. Such details are not repeated in this report.

6.3 Sustainability

As above.

6.4 Consultations

Relevant consultations have been carried out in respect of the projects included within this report, as required. Once again details of such consultations would be included in the relevant detailed reports to the Cabinet or Procurement Committee.

6.5 Risk Assessment

The risks associated with the schemes detailed in this report are considered in detail at individual scheme level. Primarily these will relate to the risk of the projects not being delivered on time or to budget. Such risks are however constantly monitored via the regular capital budget monitoring exercise and reported to cabinet within the Overall Financial Position reports. Specific risks outside of these will be recorded on departmental or project based risk registers as appropriate.

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

- 7.1 The gross approved Capital Spending Programme for 2019/20 currently totals **£287.064m (£158.605m non-housing and £128.459m housing)**. This is funded by discretionary resources (borrowing, government grant support, capital receipts, capital reserves (mainly Major Repairs Reserve and revenue contributions) and earmarked funding from external sources.
- 7.2 The financial implications arising from the individual recommendations in this report are contained within the main report.
- 7.3 If the recommendations in this report are approved, the revised gross capital spending programme for 2019/20 will total **£287.064m (£158.605m non-housing and £128.459m housing)**.

Directorate	Revised Budget Position	Dec 2019 Cabinet Update	Updated Budget Position
	£'000	£'000	£'000
Children, Adults & Community Health	14,002	0	14,002
Finance & Corporate Resources	111,410	0	111,410
Neighbourhoods & Housing	33,193	0	33,193
Total Non-Housing	158,605	0	158,605
Housing	128,459	0	128,459
Total	287,064	0	287,064

8. COMMENTS OF THE DIRECTOR OF LEGAL

- 8.1 The Group Director, Finance and Corporate Resources is the officer designated by the Council as having the statutory responsibility set out in section 151 of the Local Government Act 1972. The section 151 officer is responsible for the proper administration of the Council's financial affairs.
- 8.2 In order to fulfil these statutory duties and legislative requirements the Section 151 Officer will:
- (i) Set appropriate financial management standards for the Council which comply with the Council's policies and proper accounting practices, and monitor compliance with them.
 - (ii) Determine the accounting records to be kept by the Council.
 - (iii) Ensure there is an appropriate framework of budgetary management and control.

(iv) Monitor performance against the Council's budget and advise upon the corporate financial position.

8.3 Under the Council's Constitution, whilst the full Council set the overall Budget, it is the Cabinet that is responsible for putting the Council's policies into effect and responsible for most of the Councils' decisions. The Cabinet has to take decisions in line with the Council's overall policies and budget.

8.4 The recommendations include requests for spending approvals. The Council's Financial Procedure Rules (FPR) paragraphs 2.7 and 2.8 cover the capital programme with 2.8 dealing with monitoring and budgetary control arrangements.

8.5 Paragraph 2.8.1 provides that Cabinet shall exercise control over capital spending and resources and may authorise variations to the Council's Capital Programme provided such variations: (a) are within the available resources (b) are consistent with Council policy.

8.6 With regard to recommendation 3.2 and paragraph 9.3 where Cabinet is being invited to approve the allocation of monies from agreements under section 106 of the Town and Country Planning Act 1990, s.106 permits anyone with an interest in land to enter into a planning obligation enforceable by the local planning authority. Planning obligations are private agreements intended to make acceptable developments which would otherwise be unacceptable in planning terms. They may prescribe the nature of the development (for example by requiring that a percentage of the development is for affordable housing), secure a contribution to compensate for the loss or damage created by the development or they may mitigate the development's impact. Local authorities must have regard to Regulation 122 of the Community Infrastructure Levy Regulations 2010. Regulation 122 enshrines in legislation for the first time the legal test that planning obligations must meet. Hackney Council approved the Planning Contributions Supplementary Planning Document on 25 November 2015 under which contributions are secured under S106 agreements. Once completed S.106 agreements are legally binding contracts. This means that any monies which are the subject of the Agreement can only be expended in accordance with the terms of the Agreement.

9 CAPITAL PROGRAMME 2019/20 AND FUTURE YEARS

9.1 This report seeks spending approval for schemes where resources have previously been allocated as part of the budget setting process, as well as additional resource and spending approvals for new schemes where required.

9.2 Finance and Corporate Resources:

9.2.1 **ICT Development of Cloud Based REST Automated Program Interfaces (APIs):** Virement and spend approval of **£1,200k (£600k in 2019/20 and £600k in 2020/21)** is requested to fund the Council's Corporate ICT development of cloud based REST APIs (connectors to system databases) to enable secure real time integration of data between the Council's systems and new digital tools for residents and staff. These will provide the Council with the technical capability to deliver modern, user centred, digital services and support the strategic drive to shift from

legacy local government technology to agile development of web based 'apps'. The APIs will be developed using open source code running on public cloud services with real time monitoring to ensure service availability. This will ensure that services are resilient, low cost and help the Council to avoid software supplier lock-in. The Council's ICT Division expect to deliver APIs for property information, customer information and transaction/payment history in 2019/20 and 2020/21 in support of customer services objectives specifically within the housing and planning services. This capital project links in with the Council's 2018-2028 Sustainable Community Strategy Priority 4 'An open, cohesive, safer and supportive community'. This approval will have no net impact as the resources already form part of the capital programme.

9.3 S106 Capital Approvals:

9.3.1 Capital Resource and Spend approval is requested for **£1,271k in 2020/21** in respect of the projects detailed below, to be financed by S106 contributions. The works to be carried out are in accordance with the terms of the appropriate S106 agreements.

Planning Site No.	Project Description	Agreement Development Site	2020/21 £'000	Total
2011/3014	Woodberry Down Children's Centre*	Woodberry Down Kick Start Site 4 (Newton Close & Block 21 (Phase 3a) N4	66	66
2011/3014		Woodberry Down Kick Start Site 4 (Newton Close & Block 21 (Phase 3a) N4	612	612
2018/2681		Block B (Phase 2) Woodberry Down, Woodberry Grove, N4 2NL	115	115
2013/3223		Woodberry Down Future Phases	478	478
Total Capital S106 Approvals			1,271	1,271

*This project will provide a permanent facility to replace the temporary 'Lilliput' building, which will be demolished as a requirement of the Woodberry Down Development Agreement. The new facility will be built as an extension to the existing Children's Centre, which is a Grade II Listed Building. This project will enable the Children's Centre to continue delivering services to the community, as subsequent phases of the new residential development are completed and occupied. The Council's largest regeneration project is the Woodberry Down Estate in the north of the borough where it is working in partnership with Berkeley Homes, Notting Hill Genesis Housing Association, Woodberry Down Community Organisation and the Manor House Development Trust to redevelop the estate and to transform one of the capital's most deprived areas into an exciting new

sustainable neighbourhood that offers high quality new homes, community facilities, better public spaces, economic opportunity and a safe environment.

9.5 For Noting:

- 9.5.1 A Cabinet report dated 16 September 2019 gave approval for resource and spend for remedial works to **Bridport House** to carry out remedial work to the building to correct serious construction defects. The building is currently safe for residents with the additional fire protection measures introduced by the Council in April immediately after concerns were first raised. However, after speaking to various parties, the Council has decided it would be unsafe for residents to remain in the building while work to rectify defects takes place. Residents will be temporarily or permanently rehoused – according to their choice. The cost of remediating the building is estimated to be lower than redeveloping it, although this is not the driver for the Council's decision. A dedicated rehousing team has been meeting residents on an individual basis to discuss their needs and support them to move, with appropriate compensation for the disruption. This capital project supports the Council's 2018-2028 Sustainable Community Strategy Priority 1 'A borough where everyone can enjoy a good quality of life and the whole community can benefit from growth'. This approval will have no net impact on the capital programme as the resources will be funded from the Housing Capital contingency which already forms part of the approved programme.

APPENDICES

None.

BACKGROUND PAPERS

In accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012 publication of Background Papers used in the preparation of reports is required.

None.

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**2019/20 OVERALL FINANCIAL POSITION, PROPERTY DISPOSALS
AND ACQUISITIONS REPORT (OCTOBER 2019)
KEY DECISION NO. FCR Q2**

<p>CABINET MEETING DATE 2019/20</p> <p>16TH DECEMBER 2019</p>	<p>CLASSIFICATION:</p> <p>OPEN</p>
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<p>WARD(S) AFFECTED: ALL WARDS</p>
<p>CABINET MEMBER</p> <p>Councillor Rebecca Rennison</p> <p>Cabinet Member for Finance and Housing Needs</p>
<p>KEY DECISION</p> <p>Yes</p> <p>REASON</p> <p>Spending or Savings</p>
<p>GROUP DIRECTOR</p> <p>Ian Williams: Finance and Corporate Resources</p>

1. CABINET MEMBER'S INTRODUCTION

- 1.1 This is the fourth Overall Financial Position (OFP) report for 2019/20 and is based on detailed October 2019 provisional outturn monitoring data from directorates. We are forecasting an overspend of £6,080k at year end.
- 1.2 This overspend will be substantially funded by the application of the unspent 2018/19 Council Tax and NNDR Collection Fund surpluses carried forward into 2019/20. It must be noted that there is no guarantee that these surpluses will continue in future years and so they must be regarded as one-off funding streams only.
- 1.3 An explanation of each directorate's forecast outturn position is detailed in the directorate commentaries below.
- 1.4 As with 2018/19, our projected overspend primarily reflects reductions in external funding over time and increasing cost pressures in services, including social care, homelessness and special educational needs (SEN). Despite the publication of the 2019 Spending Review, significant uncertainty still remains about our future funding and in particular, its sustainability. Even for 2020/21 we won't know our funding envelope with certainty until the Government announces it in December, and it is unlikely that we will know our funding level for 2021/22 until December of next year.

2. GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES INTRODUCTION

- 2.1 The OFP shows that the Council is forecast to have a £6,080k overspend which is equivalent to 0.5% of the total gross budget and 1.5% of the net budget. At year end, this overspend will be substantially funded by the application of the unspent 2018/19 Council Tax and NNDR Collection Fund surpluses carried forward into 2019/20. As there is no certainty that these surpluses will continue in future years they must be regarded as one-off funding streams that can only be used in 2019/20.
- 2.2 Where there are service overspends of a recurrent nature, and/or funding shortfalls, we have dealt with this in the growth assumptions in our medium-term financial plan and will manage down the overspends by a phased application of additional resources to the relevant services. It is necessary to do this in a phased way to smooth out the impact on the rest of the budget and council tax.
- 2.3 Proposed acquisition of the leasehold of De Beauvoir Square. The Council has discovered that despite having maintained it for over 30 years that it does not have any legal interest in De Beauvoir Square. Since the discovery of this fact, the Council and the freeholder have been in discussion and both are keen to maintain the status quo and to regularise the situation. As such the freeholder is willing to grant a long leasehold interest at a peppercorn rent, over the land forming the Square. Cabinet, therefore, is asked to authorise the acquisition of a long leasehold interest in the land.

- 2.4 The latest position in relation to **GENERAL FUND REVENUE EXPENDITURE** is summarised in table 1 below.

TABLE 1: GENERAL FUND FORECAST OUTTURN AS AT OCTOBER 2019

Revised Budgets	Service Unit	Forecast: Change from Revised Budget after Reserves £k	Change from Previous Month £k
		£k	£k
86,623	Children's Services	1,562	109
91,094	ASC & Commissioning	3,699	-111
32,764	Community Health	-	-
210,481	Total CACH	5,261	-2
36,338	Neighbourhood & Housing	36	132
14,957	Finance & Corporate Resources	370	-11
8,938	Chief Executive	413	317
49,338	General Finance Account	0	0
320,052	GENERAL FUND TOTAL	6,080	436
	Application of One-Off Funding	6,080	436
	Forecast End Year Position	0	n/a

3.0 RECOMMENDATIONS

- 3.1 To update the overall financial position for October, covering the General Fund 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.
- 3.2 To authorise the acquisition of a long leasehold interest in De Beauvoir Square (land shown edged red in Appendix 1).
- 3.3 To delegate authority to the Group Director of Finance and Corporate Resources to settle all the commercial terms of the transaction.
- 3.4 To delegate authority to the Director of Legal and Governance to settle and enter into all legal agreements necessary to conclude this matter

4. REASONS FOR DECISION

- 4.1 To facilitate financial management and control of the Council's finances and to approve the property proposal.
- 4.2 **CHILDREN, ADULT SOCIAL CARE AND COMMUNITY HEALTH (CACH)**

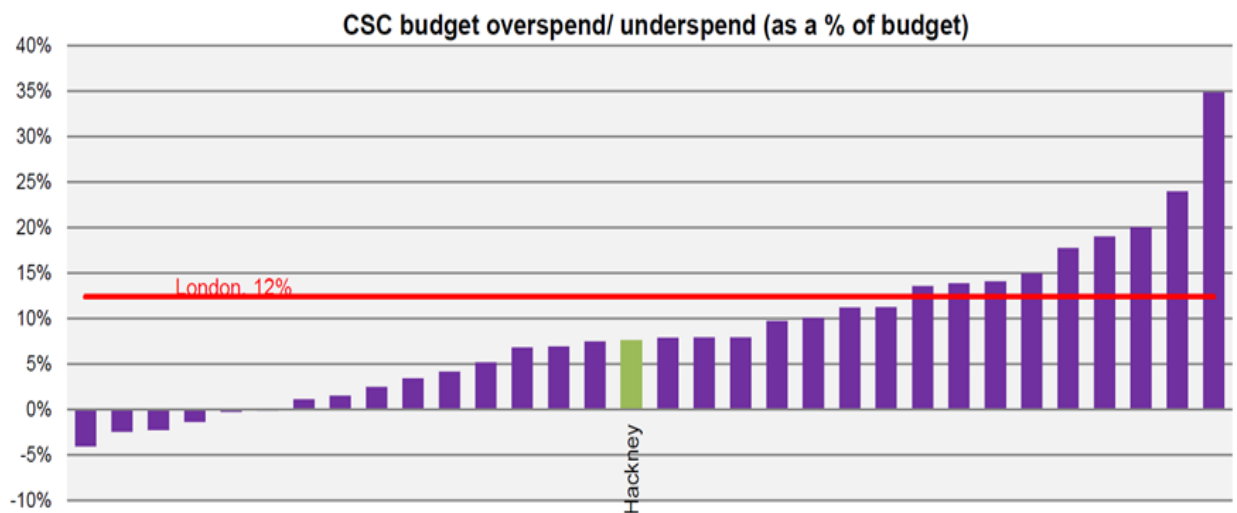
The CACH directorate is forecasting an overspend of £5,261k after the application of reserves and drawdown - an unchanged position from last month.

Children & Families Service

Children & Families Service (CFS) is forecasting a £1,562k overspend against budget after the application of reserves and grants. The draw down from reserves includes:

- £2,300k from the Commissioning Reserve, set up to meet the cost of placements where these exceed the current budget.
- £1,100k for additional staffing required to address a combination of increased demand across the service and management response to the Ofsted focused visit earlier in the year.
- £460k is drawn down to offset pressures in relation to the increase in young people currently held on remand.

The sustained pressure on CFS budgets is a position that is not unique to Hackney, as shown by the results of a survey on Children's Social Care spend carried out jointly by the Society of London Treasurers (SLT) and the Association of Directors of Children's Services (ADCS). The graph below shows how Hackney's year end position for 2017/18 (before the use of reserves) compared to other London boroughs for Children's Social Care.



A similar survey is currently underway in relation to 2018/19 outturn and this will be reported as soon as it is available.

The main budget pressures in CFS are in relation to looked after children (LAC) placements within Corporate Parenting, young people held on remand within Youth Justice and staffing in several areas across the services. Further details are set out below.

Corporate Parenting is forecasting to overspend by £1,133k after the use of £2,300k of commissioning reserves and £280k one-off staffing reserves. This position also includes the use of £1,200k of non-recurrent Social Care funding that was announced in the October 2018 Budget. Spend on LAC and LC placements (as illustrated in the table below) is forecasted at £20.3m compared to last year's outturn of £18.3m – an increase of £2m.

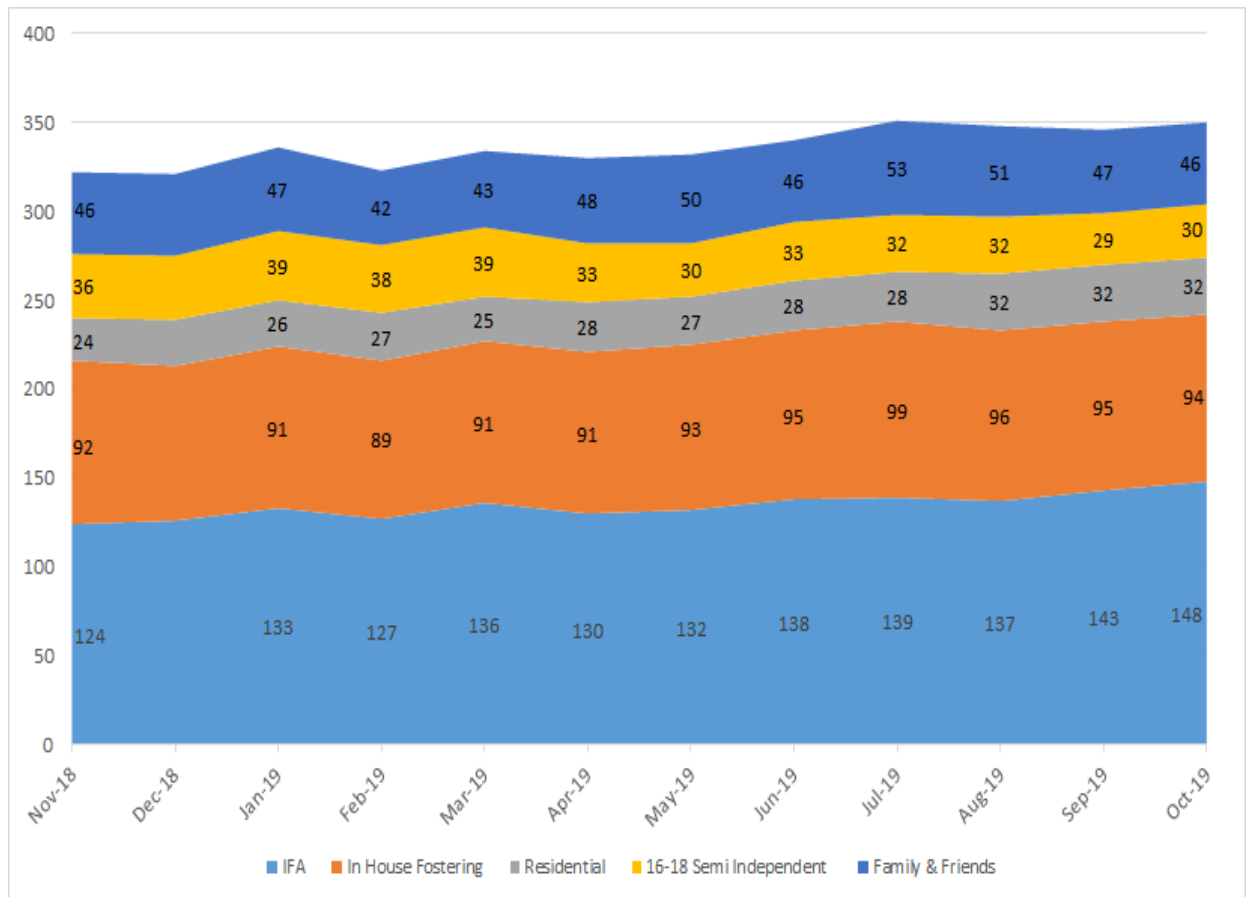
Table 2: Placements Summary for LAC and Leaving Care

Service Type	Budget	Forecast	Forecast Variance	Budgeted Placements*	Current Placements	Management Actions
Residential	4,331	5,320	989	21	31	<p>There are a number of initiatives in place to which seek to contain these cost pressures, for example the Family Learning Intervention Project (FLIP), the Edge of Care workers, the Residential project and re-negotiation of high cost placements. The first two of these have been in train for some time and tracking of the financial impact is undertaken on a case by case basis. Evidence from this tracking suggests significant costs avoided suggesting the cost pressure would be significantly greater if these were not in place.</p> <p>We will continue to monitor residential placement moves and the resulting effect on other placement types across future periods. The impact of Mockingbird, the extended family model for delivering foster care with an emphasis on respite care and peer support, and new arrangements for implementing Supported Lodgings will also be reviewed going forwards.</p>
Secure Accommodation (Welfare)	-	140	131	-	1	
Semi-Independent (Under 18)	1,570	1,867	297	26	30	
Other Local Authorities	-	216	216	-	5	
In-House Fostering	1,800	2,167	367	77	94	
Independent Foster Agency Carers	6,488	6,957	469	136	148	
Residential Family Centre (M&Baby)	-	135	135	-	-	
Family & Friends	569	850	281	30	46	
Extended Fostering	-	29	29	-	1	
Staying Put	200	357	157	13	23	
Overstayers	290	458	168	17	21	
Semi-independent (18+)	1,370	1,816	446	71	108	
Total	16,618	20,312	3,685	391	508	

*based on average cost of placements. Residential budget also includes one-off social care funding of £1.2m)

The table below shows the trend in LAC placements over the past 12 months.

Table 3: Headcount Data for LAC



There has been an increase in Independent Fostering Agency placements (net increase of 5) since September, which has led to an additional pressure of £169k in the forecast this month. As illustrated in Table 3 above, since this time last year there has been a favourable movement in the ratio between IFA and in-house placements (although this has declined in the last few months). This is driven primarily by the in-house foster carer recruitment which has seen some success and the matching officer post which has been in the structure since 2018. At around £50k per annum the cost of a child placed in independent foster care is double that of a placement with one of our own foster carers.

One of the main drivers for the cost pressure in Corporate Parenting continues to be the rise in the number of children in costly residential placements and the number of under 18s in high-cost semi-independent placements. Where children in their late teens are deemed to be vulnerable, and in many cases are transitioning from residential to semi-independent placements, they may still require a high-level of support and in extreme circumstances bespoke crisis packages. We are also noticing the number of IFA placement is rising again.

This year we have seen significant pressures on staffing. This is mainly due to posts additional to the established number, recruited to meet the increase in demand (e.g. rise in caseloads), additional capacity to support the response to the Ofsted focused visit earlier in the year and cover for maternity/paternity/sick leave and agency premiums.

Children in Need is forecasted to overspend by £491k. The overspend is mainly due to staffing overspends relating to supernumerary social worker posts to meet service pressures from high caseloads and response to the Ofsted focused visit, maternity cover, agency premiums associated with covering vacant posts and these items collectively total £503k. Underspends in non-staffing expenditure totals £12k.

The Disabled Children's Service is forecasted to overspend by £438k. Staffing is projecting an overspend of £222k due to additional staff brought in in response to increased demand in the service. The remaining overspend is attributed to care packages (£326k, including Home Care, Direct Payments and Residential respite) and £38k on other expenditure. This is offset by a £148k reserve drawdown.

The Adoption Service is forecasted to overspend by £285k. Primarily the overspend relates to the Regional Adoption Agency which we operate with our neighbouring boroughs. This has incurred transitional costs in staffing, inter-agency services and IT costs. There is a projected overspend of £61k from the Adoption Support Fund which is related to high cost cases which requires match funding contributions from the Council.

Parenting Support Services is forecast to overspend by £81k which relates to staff covering 2 maternity leavers, 2 long term sick leavers and one over-established family support practitioner within the service.

The Youth Justice Service is forecasting a balanced position after the use of £434k of remand reserves and an additional £27k of reserves which has been repurposed from an existing reserve to offset pressure in the service due to a major incident resulting in three young people held on remand earlier this year.

Overspends across the service are partly offset by an underspend in the Directorate Management Team.

Directorate Management Team is forecasted to underspend by £575k. This is due to the utilisation of additional reserves within the service to offset staffing pressures, including those in Children in Need and Parenting Support service referred to above.

Hackney Learning Trust (HLT)

The Hackney Learning Trust (HLT) forecast is consolidated into the Children and Families position. As part of the delegated arrangements for HLT, any overspend or underspend at year end will result in a drawdown-from or contribution-to the HLT reserve and expenditure is reported 'on budget'.

HLT are forecasting a significant drawdown on the HLT reserve (between £4.0m and £5.0m), mainly due to pressures in special educational needs. This forecast has been updated following the latest funding updates announced by the government in July 2019. The forecast will continue to be adjusted as data on any new demands on HLT services become known throughout the year.

Special educational needs activities cost £9.5m in excess of agreed budgets in 2018/19; and expenditure is currently expected to increase by a further £2.0m in 2019/20. Within the HLT forecast, the SEND over-spend is partly offset with savings made across other HLT departments. Costs associated with special educational needs have complex cost drivers and senior leadership across HLT and the wider Council continue to look into ways where the Council might be able to bring expenditure under control. Recent reports submitted to HLT SLT estimate that HLT reserves will be fully utilised in 2019/20.

The SEND cost pressure is attributable to the increase in the number of Education and Health Care Plans (EHCPs) as the pupil population has grown significantly and there are growing demands on the system since the reforms introduced by the Children and Families Act 2014. The impact of these factors is that, in Hackney, the number of EHCP's have increased by more than 50% since 2011. With the exception of SEN transport, SEN costs should be met from the High Needs block of the Dedicated Schools Grant– however, despite the significant rise in numbers & costs there has not been an adequate increase to this funding source.

There is a risk of overspend within children's centre budgets due to fully implementing estimated savings attributable to the in-year (Sept 19) introduction of a new fees structure. Increased childcare charges are expected to result in significant savings. However, the impact of the changes in the fees structure is uncertain in terms of continued demand for childcare, particularly from those families that will be in higher fee bandings. The financial impact is currently being assessed in detail and will be finalised after analysing occupancy level reports from the centres. This work will result in an updated forecast.

Adult Social Care & Community Health

The service is forecasting a £3.669k overspend. The position for Adult Social Care last year was an overspend of £4,083k, however there have been adjustments for corporate growth items and additional use of non-recurrent funding at the start of this financial year. The revenue forecast includes significant levels of non-recurrent funding including iBCF (£1,989k), Social Care Support Grant (£1,200k), and Winter Pressures Grant (£1,400k).

Recent announcements on social care funding as part of the Spending Review 2019 has provided further clarity on funding levels for 2020/21, however, it is still unclear what recurrent funding will be available for Adult Social Care post 2020/21. The non-recurrent funding was only intended to be a 'stop-gap' pending a sustainable settlement for social care through the Green Paper, however this is subject to ongoing delay. The implications of any loss of funding will continue to be highlighted in order that these can be factored into the Council's financial plans. This will include ensuring that it is clear what funding is required to run safe services for adults. Alongside this the service continues to take forward actions to contain cost pressures.

Care Support Commissioning (external commissioned packages of care) contains the main element of the overspend in Adult Social Care, with a £2,900k pressure. The forecast includes £1,400k of the Winter Pressures grant to fund additional costs resulting from hospital discharges. It was anticipated that the grant funding would be released through the year to offset additional pressures from hospital discharges, however an analysis of information on discharge levels and care packages has identified that the full £1,400k has already been committed.

Service type	2019/20 Budget	October 2019 Forecast	Full Year Variance to budget	Variance from Sept 2019	Management Actions
	£k	£k	£k	£k	
Learning Disabilities	14,937	16,220	1,283	137	<ul style="list-style-type: none"> - ILDS transitions/demand management and move on strategy - Multi-disciplinary review of care packages (delivered £720k) - Three conversations - Review of homecare processes - Review of Section 117 arrangements - Personalisation and direct payments - increasing uptake
Physical and Sensory	12,843	13,584	742	110	
Memory, Cognition and Mental Health ASC (OP)	7,710	8,363	653	(82)	
Occupational Therapy Equipment	740	943	203	(1)	
Asylum Seekers Support	170	211	41	26	
Total	36,399	39,321	2,922	190	

The Learning Disabilities service is the most significant area of pressure with a forecast £1,300k overspend, which reflects a worsening of £137k on the September position. The adverse movement is primarily driven by increasing complexity of care needs for Learning Disability clients. The pressure is still significantly less than last year due to the application of both budget growth and one-off funds in this service area.

Work is ongoing with Clinical Commissioning Group (CCG) colleagues to embed the joint funding model for high cost Learning Disability packages as business as usual. There is an agreement between both parties for all packages to be reviewed for joint funding. A process of financial reimbursement will be managed through the Learning Disability Section 75 review group on behalf of the Planned Care Workstream. The CCG have committed to ring-fence £1,900k - £2,700k within their financial planning for 2019/20 and £1,900k has been factored into the forecast above. The partners also acknowledged that by implementation of the joint funding policy the amount paid for health need will be based on the assessment of patient/residents and that health needs for individuals could be potentially less or more than the initial identified range. Progress has been slow in embedding the joint funding model which has resulted in fewer than expected cases going through the panel process to date. This is being closely monitored by all partners and measures have been taken to try to ensure the completion of all joint funding assessments by the end of the year, which includes having dedicated project support to ensure the smooth day to day operation of the process, given its high priority and funding risk.

Physical & Sensory Support is forecasting an overspend of £742k, whilst Memory, Cognition and Mental Health ASC (OP) is forecasting an overspend of £653k. The cost pressures being faced in both service areas has been driven by the significant growth in client numbers as a result of hospital discharges in 2018/19, which has been partially mitigated by one-off funding from the Winter Pressures grant of £1,400k.

Discussions have been held with the service in order to develop a set of management actions to mitigate the ongoing cost pressure as a result of increased clients being discharged from hospital with more complex needs. These actions include the creation of a multi-disciplinary team (MDT) to facilitate the review of care packages, and this has delivered savings to date of £720k (full year effect). As a result of the savings achieved the MDT project has been extended for a further six months to the end of Jan 2020.

The Mental Health service is provided in partnership with the East London Foundation Trust (ELFT) and is forecast to overspend by £570k. The overall position is made up of two main elements - a £715k overspend on externally commissioned care services and £145k underspend across staffing-related expenditure.

Provided Services is forecasting a £91k overspend, which is largely attributed to:

- Housing with Care overspend of £191k. The forecast includes additional resources to respond to issues raised from the CQC inspection in December 2018. The service has recently been re-inspected in July 2019, and the service has now been taken out of 'special measures' and our rating has changed to 'requires improvement'.
- Day Care Services are projected to underspend by £99k, primarily due to the current staff vacancies across the service.

Preventative Services is forecast to underspend by £245k. This variance represents an underspend on the Concessionary Fares' budget due to a reduction in demand of £150k plus an on-going underspend of £220k within the Median Road Resource Centre budget which supports wider Care Management service expenditure. Cost pressures of £56k are linked to staffing challenges for which the Hospital Social Work Team includes IBCF non-recurrent funds towards supporting staffing levels necessary to ensure hospital discharge targets are met.

ASC Commissioning is forecasting a £512k budget overspend which reflects an improvement of £224k on September position. The favourable movement this month is primarily driven by the delivery of Housing Related Support (HRS) savings of £140k in year, which is linked to the overall savings delivery plan for HRS. Delays in savings delivery from the Housing Related Support (HRS) service now represents £634k. In addition, there has been a cost reduction of £83k arising from reduced voluntary sector payment by results activity.

Public Health

Public Health is forecasting a breakeven position. There are pressures in the service due to the delay with implementing Public Health restructure and the review of physical activity for adults. However, this pressure is being managed within the overall budget and it is not anticipated to result in an overall overspend.

The Sexual Health forecast has been updated to reflect the agreed increase of tariffs which commenced from 1 October 2019 across London following the recent Integrated Sexual Health Tariff (ISHT) review. There has been a 5% increase in sexual health costs, this is associated with PrEP activity (PrEP is Pre-Exposure Prophylaxis, which is the use of anti-HIV medication that keeps HIV negative people from becoming infected) and a progressive uptake of e-services alongside clinical service provision. Both activities are subject to continuous review with commissioners to ensure sustainable future provision remains within the allocated sexual health budget in this financial year.

4.3 NEIGHBOURHOODS AND HOUSING

The forecast position for Neighbourhoods and Housing Directorate as at October 2019 is a £36k overspend. This is due primarily to an increase in the income shortfall in planning, which is partially offset by a reduction in Streetscene net expenditure. These are discussed below. The forecast includes the use of £1,900k of reserves, the majority of which are for one off expenditure/projects.

There is a forecast overspend in the Planning Service of £312k which is due to a projected shortfall against the planning application fee income target of £2,300k. The total shortfall against the income budget is £363k (which compares to £147k in September) but this is partly mitigated by additional income from other parts of the service. The Planning Service is currently re-modelling staff expenditure in the Major Applications Team, with an opportunity for Team Leaders to take on additional case load work for major applications whilst achieving cost savings. This will reduce staffing costs to mitigate the impact of reduced income.

The Building Control service is forecast to overspend by £63k, though it is important to note that Building Control income is significantly higher than in 2018/19. The service has embarked on a review of the staffing and fee structure that will culminate in a revised schedule of increased fees, to achieve full cost recovery without losing share of the Building Control market.

Streetscene is forecast to under spend by £346k which is due to additional income. There is an ongoing analysis of Street scene income to determine potential improvements in the outturn position for 2019/20, as initial figures indicate that due to increasing numbers of developments across the borough Street scene is likely to over achieve its income budget for the year resulting in an increased underspend for the full year. This analysis will also consider the sustainability of the additional income received in-year.

Parking, Leisure, Green Spaces and Libraries and Community Safety, Enforcement and Business Regulation are forecasting break-even positions, with Directorate Management continuing to forecast a marginal underspend.

Housing General Fund is forecast to be marginally favourable to budget at this stage, mainly due to underspends within staffing.

Regeneration is forecast to be on budget for this financial year.

4.4 FINANCE & CORPORATE RESOURCES

The forecast is an overspend of £370k.

Financial Management and Control are forecasting an underspend of £326k due to vacancies across all services, while the Directorate Finance Teams are projecting an underspend of £103k which mainly relates to salaries and projected additional income from service fees

The overspend in Facilities Management (£370k) is primarily due to increases in business rates costs on council owned buildings in the borough which are partially offset by reserves. The largest increases are in Hackney Town Hall, Hackney Service Centre and Florfield Road.

In Property services, the cost pressure primarily results from: providing additional staffing resources within the service to address essential works; and the re-classification of a significant revenue item as a capital receipt. The service is currently reviewing their operations to address the former and the allocation of overall budget, both capital and revenue, needs to be reviewed to address the latter.

Revenues and Benefits and Business Support, Registration and Audit and Anti-Fraud are forecast to come in at budget.

Housing Needs is forecast to come in at budget after the application of the Flexible Homeless Grant and Homelessness Reduction Act Grant. Whilst we will continue to receive the Flexible Homeless Grant, it is probable that this grant will reduce over time and there may be other calls on the Grant. Further, since April 2018 when the Homelessness Reduction Act was introduced there has been a 33.4% increase in approaches for housing advice, expected to result in significantly higher accommodation costs over time.

4.5 CHIEF EXECUTIVE

Overall the Directorate is forecasting to overspend by £413k after forecast reserves usage, which is an increase of £317k from September which as can be seen below is largely due to a £250k increase in the net expenditure in Legal Services.

Communications, Culture & Engagement

The service is forecasting an overspend of £210k. £150k of this relates to Hackney Today. This is an increase on last months projected overspend following a review of the expenditure and income so far. Hackney Today was published fortnightly for the first quarter of the year but following a court order is now only published once every 3 months with a new information publication 'Hackney Life' published in the months in between. Due to this, advertising income has dropped significantly, from around £33k pcm to £6k pcm. Although distribution and print costs have halved, these only save £14k pcm. Staff costs are largely unaffected by the change in publication but have actually increased due to maternity leave.

This projection does not include any legal costs which are not yet charged to the service (and will be funded from reserves) nor does it include the impact of this decision on other services such as Planning which will now have to place statutory notices in other publications.

The remaining £60k is in relation to venues, primarily due to costs relating to Hackney House, which the council is no longer responsible for.

The Culture team spent a higher amount on the Carnival this year due to increasing numbers of attendees and the need to move the main stage to a new location due to this. It has been agreed for the funding to come from Neighbourhood Community Infrastructure Levy.

The rest of Communications including Design & Film are forecast to break even.

Legal & Governance

The combined Legal & Governance Service are forecasting an overspend of £186k on their budget.

There is an overspend reported in Governance which is primarily due to Internal Printing Recharges estimated at £34k which has no budget and £39k is for an unfunded Team Manager's post previously funded by HRA.

Recharge income and recharges to Capital are forecast to be under budget by £233k while External Income projections have been forecast to under-achieve by £28k. The management team is also reviewing current and future income to establish sources of additional income for the 2020/21 financial year.

There is additional income from Traded Services £19k and HLT £28k. This is used to fund an additional cost of £11k on Supplies.

All other services are forecast to come in at budget.

4.6 HRA

The projected outturn on the HRA is at budget.

Income

There is a surplus of £325k on Dwelling Rents which is due to a new lease agreement for properties rented to housing associations. The other major variance is a surplus of £949k for Other charges for services and facilities which is mainly due to the extension of LBH collection of water rates on behalf of Thames Water. The commission earned on the Thames Water contract is to pay for the staff that collect the money. We currently only need to collect rent from about 60% of tenants, as about 40% are on full HB; but as we collect Thames Water charges from all tenants and leaseholders, we need to have staff/process/systems to collect from the remaining 40% of tenants. This cost is paid for by the Thames Water commission. The surplus is due to the fact that the contract extension was negotiated after the HRA budget was set and so the income is not accounted for in the budget, but the income is accruing throughout the year.

Expenditure

Repairs and Maintenance is £1,190k over budget which is mainly due to reactive repair costs and an increase in legal disrepair expenditure. This is currently partly offset by vacant posts within the new R&M structure. The Special services overspend of is due to agreed increased costs within estate cleaning, but this is expected to reduce in 2020/21 as the effects from restructuring of the service are realised.

There is an overspend on Supervision and Management which is due to an increase in recharges from housing needs.

There is an increased cost of capital due to the interest costs on the returned 1-4-1 funding from the pooling of capital receipts, but this is offset by a reduction in the Revenue Contribution to Capital (RCCO).

5.0 DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

This report is primarily an update on the Council's financial position and there are no alternative options here. On De Beauvoir Square, the Council offered to purchase the freehold, but this was declined by the owner. The Council's only other option was to vacate the site and pass back management to the freeholder. This option was rejected as stepping away from the management would make the future of the square uncertain. The square has been managed by the Council for a long time and uncovering this legal anomaly should not prevent the Council continuing to maintain the square to the high standards it has achieved.

6.0 BACKGROUND

6.1 Policy Context

This report describes the Council's financial position as at the end of October 2019. Full Council agreed the 2019/20 budget on 21st February 2019.

6.2 Equality Impact Assessment

Equality impact assessments are carried out at budget setting time and included in the relevant reports to Cabinet. Such details are not repeated in this report.

6.3 Sustainability

As above

6.4 Consultations

Relevant consultations have been carried out in respect of the forecasts contained within this report involving, the Mayor, the Member for Finance, HMT, Heads of Finance and Assistant Directors of Finance.

6.5 Risk Assessment

The risks associated with the schemes Council's financial position are detailed in this report.

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

7.1 The Group Director, Finance and Corporate Resources' financial considerations are included throughout the report.

8. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE

8.1 The Group Director, Finance and Corporate Resources is the officer designated by the Council as having the statutory responsibility set out in section 151 of the Local Government Act 1972. The section 151 officer is responsible for the proper administration of the Council's financial affairs.

8.2 In order to fulfil these statutory duties and legislative requirements the Section 151 Officer will:

(i) Set appropriate financial management standards for the Council which comply with the Council's policies and proper accounting practices and monitor compliance with them.

(ii) Determine the accounting records to be kept by the Council.

(iii) Ensure there is an appropriate framework of budgetary management and control.

(iv) Monitor performance against the Council's budget and advise upon the corporate financial position.

8.3 Under the Council's constitution although full Council set the overall budget it is the Cabinet that is responsible for putting the Council's policies into effect and responsible for most of the Council's decisions. The Cabinet must take decisions in line with the Council's overall policies and budget.

- 8.4 Paragraph 2.6.3 of FPR2 Financial Planning and Annual Estimates states that each Group Director in charge of a revenue budget shall monitor and control Directorate expenditure within their approved budget report progress against their budget through the Overall Financial Position (OFP) Report to Cabinet. This Report is submitted to Cabinet under such provision.
- 8.5 With regards to the De Beauvoir Square transaction, under the Hackney Mayoral Scheme of Delegation of January 2017, the acquisition of an interest in land is reserved to the Mayor and Cabinet and additionally Financial Procedure Rule 20.4 confirms that the acquisition or disposal of freehold or leasehold land shall be referred to the Cabinet. Section 1 of the Localism Act 2011 (the general power of competence) grants local authorities the ability to do anything that a private individual is empowered to do, subject to any restrictions that bound local authorities before the coming into force of that section or any later provisions expressed to apply to it. Section 120 of the Local Government Act 1972 ("the 1972 Act") enables the Council to acquire by agreement any land for any purpose for which they are authorised by that Act or any other enactment to acquire land. The purposes authorised by s.120 of the 1972 Act are (a) any of the Councils functions under this or any other enactment, or (b) the benefit, improvement or development of the Council's area. The proposed De Beauvoir Square transaction fulfils both limbs as the Council is authorised to maintain parks and maintaining this one is for the continued benefit of the Council's area.
- 8.5 All other legal implications have been incorporated within the body of this report.

9.0 COMMENTS OF THE DIRECTOR OF STRATEGIC PROPERTY

With regards to the De Beauvoir Square proposal, this transaction at a peppercorn rent puts the Council on a firm basis for its continuing management of the Green Flag award winning De Beauvoir Square

Appendices

1. De Beauvoir Square

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Cabinet

16 DECEMBER 2019

Overall financial position, property disposals and acquisitions report (October 2019)

Key Decision No. FCR Q2

Appendix

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Ref:
11 November 2019

Produced by: unspecified
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Land at De Beauvoir Square

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TITLE OF REPORT: Proposed motorcycle parking review – summary report
Key Decision No. NH P58

<p>CABINET MEETING DATE (2019/20) 16 December 2019</p>	<p>CLASSIFICATION: Open If exempt, the reason will be listed in the main body of this report.</p>
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WARD(S) AFFECTED
All wards

CABINET MEMBER
Councillor Jon Burke
Energy, Waste, Transport and Public Realm

KEY DECISION
Yes

REASON
Affects two or more wards

GROUP DIRECTOR
Ajman Ali - Acting Group Director Neighbourhoods and Housing

1. CABINET MEMBER'S INTRODUCTION

- 1.1 I am pleased to commend the motorcycle parking review for public consultation, which sets out a number of proposed changes to policies for motorcycle parking in Hackney.
- 1.2 Poor air quality affects everyone's health particularly the health of our children, with evidence proving that poor air quality is directly responsible for asthma and other respiratory illnesses (GLA, 2008). Air quality in Hackney remains amongst the poorest in London and it is estimated that it contributes to 96 premature deaths across the borough every year.
- 1.3 Prioritising sustainable modes of transportation such as walking, cycling, car sharing clubs and public transport above using a private car, encourages residents and businesses to consider whether or not they really need to drive, without making it unaffordable for those that do need to. This approach is better for the environment, as it reduces local pollution and CO₂ emissions, and supports our goal of making our streets more liveable for all residents and visitors.
- 1.4 For many years Hackney Council has sought to support these goals through a number of initiatives, including:
 - Charging for parking permits according to CO₂ emissions with a diesel supplement, which incentivises motorists to think about the financial costs of choosing a more polluting vehicle when purchasing or leasing one; and
 - Charging visitors to park, in order to encourage drivers to consider other forms of transportation.
- 1.5 However, there remains an exception to this approach, which is the way in which we deal with motorcycles. At present, motorcyclists are not required to purchase parking permits, which is largely due to the problems of where to display a permit securely on a motorbike. This means that they can park in much of the borough free of charge, with no incentive for their riders to consider the impact of their journey on the local environment. As a result, large numbers of motorcycles commute into Hackney each day, with a particularly high demand for parking in the south of the borough.
- 1.6 Developments in technology has led to the introduction of cashless parking and e-permits and now presents a practical solution to motorcycle permits. This will bring motorcycle parking in line with cars and in so doing will further influence a reduction in vehicle emissions which contribute heavily to unacceptable levels

poor air quality in Hackney. Research shows that motorcycles emit similar levels of dangerous nitrous oxide (NOx) air pollutants as passenger vehicles.¹

- 1.7 There is a second strand to this review, which is the clear need to provide more secure parking for motorcycles. The number of thefts of scooters and motorbikes in London has received a lot of publicity in the last two years, and I believe that we have a duty to help people park with confidence on our roads.²
- 1.8 In order to address these two challenges, this paper proposes to consult Hackney on the introduction of the most comprehensive approach towards motorcycle parking in London.
- 1.9 The proposed borough-wide consultation planned to take place in January 2020, will last for twelve weeks and will set out our proposals to treat motorbikes as a polluting vehicle, in the same way we treat cars. By taking this route, we will ensure that we are able to apply a joined up approach to parking, and discourage commuting.
- 1.10 Alongside these proposals we will make clear our commitment to address the security concerns of motorcyclists, by rolling out secure motorcycle parking across all our motorcycle bays over the next three years to combat theft.
- 1.11 The proposals in this paper are supported by recommendations in the Parking and Enforcement Plan 2015-20.

2. GROUP DIRECTOR'S INTRODUCTION

- 2.1. This paper describes the current parking provision for motorcycles, and sets out the Council's approach to improving air pollution through the proposed introduction of motorcycle parking permits and offers practical solutions for visitor parking which includes e-vouchers, paying and mobile for short-stay parking and differential pricing dependent on CO₂ emissions.
- 2.2. Listening to the concerns of our residents and businesses in the borough, the report addresses and puts forward options for secure and lockable solo motorcycle bays.

¹ https://www.greencarreports.com/news/1067907_motorcycles-are-more-polluting-than-cars-new-device-shows

²

<https://www.ons.gov.uk/aboutus/transparencyandgovernance/freedomofinformationfoi/motorcycletheftintheurk>

- 2.3. Lastly, it sets out a number of recommendations that will align motorcycle parking permits across all parking products and services. This in turn will achieve improved enforcement that will support the delivery of the Council's wider objectives on vehicle use and air pollution, in addition to improving the environment for residents, businesses and visitors to the borough.

3. RECOMMENDATION(S)

- 3.1 That Cabinet approves the following:
- 3.2 That consultation with the general public will take place for a period of twelve weeks in January 2020, on the motorcycle parking proposals. The consultation will include the following proposals:
 - 3.2.1 That motorcycles will be required to hold a valid permit to park in any permit holder bays.
 - 3.2.2 That visiting motorcycles will be required to obtain an e-voucher to park in any permit holder bays at current visitor parking permit prices.
 - 3.2.3 That existing solo motorcycle bays will be converted into solo lockable pay and display bays for short stay parking with fees aligned to pay and display prices. Maximum waiting restrictions will apply in line with other pay and display bays in certain areas to discourage commuting.
 - 3.2.4 That motorcycles will continue to be charged across the borough for using both pay and display along with shared use parking bays at standard rates.
- 3.3 The consultation results will be outlined to Cabinet in autumn 2020 and the final proposals on the introduction of the motorcycle parking strategy will be presented for reconsideration.

4. REASONS FOR DECISION

4.1 Rationale for the proposed changes

- 4.1.1 Hackney Council recognises more needs to be done to develop uniform parking policies in order to ensure that we deliver our overall objective of improving air quality across the borough for everyone. Hackney has a statutory obligation to

improve local air quality and reducing emissions is also an objective in the Road Traffic Regulation Act 1984.

- 4.1.2 Approximately five motorcycles can fit into one car space, therefore there is the potential for five times the current level of equivalent car pollution per car space. Furthermore, research has shown that motorcycles emit nitrogen oxide (NO_x) within the range of petrol and diesel cars. In particular, we are keen to take action to improve the air quality in parking zone B towards the south of the borough near the city where there is a high demand for commuter motorcycle parking.
- 4.1.3 The Parking and Enforcement Plan (PEP) 2015-20 sets out Hackney's current parking policies. It describes the issues facing the Council and explains the recommendations over five years. The PEP has an approved recommendation to introduce motorcycle parking permits and is the basis for requesting to consult on wider proposals.
- 4.1.4 Additionally, the Air Quality Action Plan 2015-19 addresses how the Council plans to tackle air quality across the borough with recommendations designed to influence residents' businesses and visitor choice of transportation through emissions-based parking charges. This further supports the rationale behind the need to introduce permits for motorcycles, as currently, motorcycles do not need to pay for parking and are often used for commuting, especially in the south of the borough which is close to the city.
- 4.1.5 Cabinet is recommended to approve the commencement of the consultation on motorcycle parking proposals as detailed in sections 4.2 to 4.11.

4.2 Proposed motorcycle parking permit policy

4.2.1 The Council sells a wide range of permit and voucher types that cater for very different needs, each of which has different rules related to them. Therefore, the Council plans to require motorcycles to apply for a relevant parking permit in the same way that other vehicles do now. This includes:

- Resident parking permits
- Estate parking permits
- Business parking permits
- Doctors permits
- Health and social care
- All zone parking permits

4.2.2 Charging for motorcycle parking will be brought in line with other vehicle fees and charges, which are based on how polluting a vehicle is. Parking services will review the CO₂ charging structure to ensure that it continues to incentivise drivers to travel more sustainably, and to reflect changes in vehicle emissions including pollution produced by motorcycles. Parking Services are committed to carrying out this piece of work within the next 12 months which falls outside the scope of this paper.

4.2.3 Motorcycles will also require a valid pay by mobile parking session to park in, solo motorcycle, shared use and pay and display bays. In addition, 86% of all pay and display sessions are already paid for by mobile, online or over the phone.

4.2.4 E-permits are now live, which removes the obstacle of displaying a paper permit on a motorcycle.

4.3 On street resident motorcycle permit prices

4.3.1 The Parking and Enforcement Plan (PEP) 2015-20, recommends that motorcycles be charged in line with our current parking permit pricing structure. Due to generally low CO₂ emissions of motorcycles, most residents will usually pay the lowest chargeable rate which is currently £61.00 for a 12-month permit. Please see the table below for more information.

Table one – Resident parking permit

Bands for all motor vehicles including motorcycles, cars and vans		3 months	6 months	12 months
1	No local emissions	£10.00	£10.00	£10.00
	Up to 120 g/km	£26.50	£38.50	£61.00
2	Price including diesel supplement*	£39.00	£63.50	£111.00
	121 - 185 g/km, or under 1200cc**	£43.00	£67.00	£112.00
3	Price including diesel supplement*	£55.50	£92.00	£162.00
	186 - 225 g/km, or 1200 -2000cc**	£59.50	£95.50	£163.00
4	Price including diesel supplement*	£72.00	£120.50	£213.00
	226 g/km +, or 2001cc+**	£76.00	£124.00	£214.00
5	Price including diesel supplement*	£88.50	£149.00	£264.00

*The diesel supplement will be £50 per year, and will be pro-rated for 3 and 6 month permits.

**Where no information is held on a vehicle's CO₂ emissions, price will be calculated on engine size.

4.3.2 Residents blue badge holders may apply for a free motorcycle companion e-badge to park in their home zone. The companion e-badge is an electronic permit so it does not need to be displayed physically on the motorcycle.

- 4.3.3 The e-badge can also be used on single and double lines, shared use permit bays, pay and display bays across the borough with the blue badge clock only.
- 4.3.4 Displaying the blue badge clock will be challenging, as there is no secure location on a motorcycle without a substantial risk of theft and loss. However, there is no real value to the clock on its own without a valid blue badge, as it can be replaced free of charge.
- 4.3.5 Presently, parking policy only allows one residential permit per person. This means residents need to choose between purchasing a vehicle or motorcycle permit. Through public consultation and feedback from participants, a decision will be made on the current policy and whether it needs to be updated.
- 4.3.6 The Council also provides disabled parking bays for blue badge holders with high mobility needs. Blue badge motorcycle residents are unlikely to meet the mobility criteria for a disabled parking bays.

Table two – Companion badge

Companion badge	
Residents companion badge	Free

4.4 Off street estate motorcycle permit prices

- 4.4.1 The policy on estates is slightly different as parking spaces are limited and reserved for estate residents only. Estate residents are subject to availability and household limits, which is usually limited to one permit per-household on most estates.
- 4.4.2 For some estates there is a waiting list to purchase a parking permit. For these estates, motorcyclists will instantly find themselves placed on the list until a space becomes available. Alternatively, they will be able to apply for an on-street resident permit to park their motorcycle in the street.
- 4.4.3 Blue badge holders on estates are also entitled to one free estate permit per person. Every effort will be made to provide parking spaces for residents with disabilities.

Table three – Estate parking permits

12 months only	Residents	Blue badge holders
All vehicles*	£38.50	Free

*This includes motorcycles, cars and vans.

4.5 Business motorcycle parking permits

- 4.5.1 Businesses may purchase up to five parking permits per premise, which may restrict businesses that use motorcycles operationally. Each permit may have up to three vehicles on it but can only be used by one vehicle at a time. The price paid will be pro-rata and based on the vehicles that shared the permit during its lifespan.
- 4.5.2 There are also a number of motorcycle shops in Hackney with solo motorcycle bays nearby. These bays are mainly used to commute, for visitors to park, to store motorcycles to carry out compulsory basic training (CBT) and to accompany test rides.
- 4.5.3 Introducing a charge for motorcycle parking is an additional cost for businesses, especially courier or delivery companies parking in zones A and B, where prices are substantially higher. However, with the introduction of solo motorcycle parking bays for permit or visitors, businesses can park safely and securely close to their business premise.

Table four – Business parking permit

Bands for all motor vehicles including motorcycles, cars and vans		Zones A and B only		(All other zones)	
		3 months	12 months	3 months	12 months
1	No local emissions	£20.00	£20.00	£20.00	£20.00
2	Up to 120 g/km	£205.00	£540.00	£115.00	£280.00
	Price including diesel supplement*	£217.50	£590.00	£127.50	£330.00
3	121 - 185 g/km, or under 1200cc**	£390.00	£1,080.00	£210.00	£540.00
	Price including diesel supplement	£402.50	£1,130.00	£222.50	£590.00
4	186 - 225 g/km, or 1200-2000cc**	£575.00	£1,580.00	£305.00	£800.00
	Price including diesel supplement*	£587.50	£1,630.00	£317.50	£850.00
5	226 g/km +, or 2001cc+**	£575.00	£1,580.00	£400.00	£1,060.00
	Price including diesel supplement*	£587.50	£1,630.00	£412.50	£1,110.00

*The diesel supplement will be £50 per year, and will be prorated for 3 month permits. **Where no information is held on a vehicle's CO₂ emissions, price will be calculated on engine size.

4.6 Doctors motorcycle permit

- 4.6.1 The existing rules for doctor's permits will still apply. Doctors may prefer to use a motorcycle to carry out home visits with patients or park closer to the surgery for a fast and flexible approach.

Table five – Doctors permit

Bands for all motor vehicles including motorcycles, cars and vans		Zones A and B	All other zones
1	No local emissions	£440.00	£230.00
2	Up to 120 g/km	£550.00	£340.00
	Price including diesel supplement*	£600.00	£390.00
3	121 - 185 g/km, or under 1200cc**	£660.00	£450.00
	Price including diesel supplement	£710.00	£500.00
4	186 - 225 g/km, or 1200-2000cc**	£770.00	£560.00
	Price including diesel supplement*	£820.00	£610.00
5	226 g/km +, or 2001cc+**	£880.00	£670.00
	Price including diesel supplement*	£930.00	£720.00

The diesel supplement will be £50 per year.

*Where no information is held on a vehicle's CO₂ emissions, price will be calculated on engine size.

4.7 Health and social care permit for motorcycles

4.7.1 Health and social care permits are available to organisations whose staff provide essential health and social care services in the community. To be eligible the member of staff must spend at least 30% of their time on the road visiting the community, working in medical or social care and be employed by a pre-approved organisation.

4.7.2 These include Homerton University Foundation Hospital and Trust, the City and Hackney Clinical Commissioning Group and the East London Foundation Trust. Organisations need to meet the criteria to apply.

4.7.3 Health and social care permits will give organisations the flexibility to choose between a vehicle and motorcycle to provide essential services.

Table six – Health and social care permits for motorcycles

Bands for all motor vehicles including motorcycles, cars and vans		12 months
1	No local emissions	£20.00
2	Up to 120 g/km	£125.00
	Price including diesel supplement*	£175.00
3	121 - 185 g/km, or under 1200cc**	£230.00
	Price including diesel supplement*	£280.00
4	186 - 225 g/km, or 1200 -2000cc**	£335.00
	Price including diesel supplement*	£385.00
5	226 g/km +, or 2001cc+**	£440.00
	Price including diesel supplement*	£490.00

The diesel supplement will be £50 per year.

*Where no information is held on a vehicle's CO₂ emissions, price will be calculated on engine size.

4.8 All zone motorcycle parking permits

4.8.1 Presently, all zone parking permits are open to anyone who wants to apply – with the exception of internal staff who are not allowed to purchase one, as the permit may be used to commute to and from work. For motorcycles these rules will stay the same.

Table seven – All zone permit

Bands for all motor vehicles including motorcycles, cars and vans		12 months
1	No local emissions	£1,120.00
.2	Up to 120 g/km	£1,520.00
	Price including diesel supplement*	£1,620.00
3	121 - 185 g/km, or under 1200cc**	£1,920.00
	Price including diesel supplement*	£2,020.00
4	186 - 225 g/km, or 1200 -2000cc**	£2,320.00
	Price including diesel supplement*	£2,420.00
5	226 g/km +, or 2001cc+**	£2,870.00
	Price including diesel supplement*	£2,970.00

The diesel supplement will be £100 per year.

*Where no information is held on a vehicle's CO₂ emissions, price will be calculated on engine size.

4.9 Secure motorcycle parking bays

4.9.1 The theft of motorcycles in London is a matter of great concern for riders, and is a major influencing factor in where motorcyclists choose to park. As a result, motorcycles are commonly found parked in locations adjacent to lamp posts, or other secure street furniture.

4.9.2 The installation of secure parking, in the form of motorcycle locking points, would be a very popular addition to our existing 89 solo motorcycle bays, and are an important element to the proposals, together with the other changes proposed within this paper.



- 4.9.3 All existing solo motorcycle bays will be converted into bays which may only be used by motorcycles. These bays will be shared use and will require a valid permit or short stay pay and display session. Pay and display fees will be the same as cars.
- 4.9.4 Maximum waiting restrictions may apply in line with other pay and display bays in the local area to discourage commuting. Depending on demand, lockable solo motorcycle parking bays will also be installed on request for residents and businesses in new locations. The motorcycle hoop lockable stands (as pictured) meets the Council's internal street furniture standard and guidelines.
- 4.9.5 The hoop is secured to the floor with concrete and sits on the pavement, which allows flexibility for road maintenance, suspensions or closures without the need to remove and reinstall the hoop at a cost. It is also safer as it does not cause an obstruction to other vehicles on the carriageway.
- 4.9.6 The Council hopes that this approach will encourage motorcyclists to park alongside one another and perpendicular to the kerb in the solo motorcycle bays and free up shared use and pay and display bays for other vehicles.

4.10 Visitor parking

- 4.10.1 Currently visitor vouchers are scratch cards, which are not suitable for motorcycles as the vouchers cannot not be displayed safely on a bike. Therefore we need to provide our residents' visitors with residential parking in line with our current offer for vehicles.
- 4.10.2 There are plans in place to introduce e-vouchers alongside the current paper scratch cards this autumn/winter, which will resolve the need to affix a physical voucher to a motorcycle.
- 4.10.3 The price for resident visitor vouchers will remain the same, as currently visitor voucher prices are highly competitive at £4 a day, however this is subject to review.
- 4.10.4 Motorcyclists who choose to park in shared use or pay and display bays and pay in cash to purchase a ticket from the machine, are required to pay the same price to park as all other vehicles. Prices range from £1.40 to £5.00 and there will be no change to this.

4.11 Financial implications

4.11.1 E-permits system costs

To allow motorcycles to purchase parking permits across all types, there will be a small cost to develop the system. E-permits already exist for all vehicles, therefore, system changes are minimal and requires duplicating the current pricing structure for motorcycles. This development is estimated to take three weeks to deliver with a cost of £9,750.

4.11.2 Cashless parking costs

As pay and display tickets cannot be affixed to motorcycles without considerable risk of theft and loss. Motorcyclists are expected to pay by a mobile device, so machines will not need to be updated. If motorcyclists choose to pay and display a ticket, they must do so at the normal fees and charges rate for all vehicles and run the risk of receiving a parking fine. To set-up our pay by mobile supplier (RingGo) to purchase motorcycle pay by mobile sessions, there will be no additional cost to:

- Check the vehicle type with the DVLA, as the Council already subscribes to this service.
- Set the price point as it is the same as we already charge.

Existing normal customer rates will apply for using the RingGo service. There is a cost associated with introducing emissions based charging, however this will be explored in a separate workstream as it will affect all vehicles types.

4.11.3 E-vouchers costs

The cost associated with setting up visitor e-vouchers for motorcycles will be absorbed in the ongoing project which covers all motor vehicles.

4.11.4 Installation of secure parking hoops expenditure

The indicative cost of installing one lockable motorcycle hoop is on average £400 each, with each solo motorcycle bay requiring two to three hoops. There are currently 89 solo motorcycles bay and more planned across the borough to evenly spread the bays out. Therefore, the cost of implementing lockable motorcycle hoops is estimated at £152,000, please see table below.

Suppliers	Quantity	Unit price	Total	Installation included
Supplier one*	380	£460	£174,800	Yes
Supplier two*	380	£363	£137,940	Yes
Supplier three	380	£386	£146,680	No

* Prices include installation, storage and delivery costs.

4.11.5 Enforcement expenditure

Additional enforcement will be needed to deal with the increased demand on the road. This is estimated to be one full time Civil Enforcement Officer added to the existing pool of officers at a cost of £29,381. This includes salary costs, a hand held device, radio unit, uniform, pension contributions and the relevant training to be qualified for the role. Increases to the number of PCN challenges and appeals received, are normal occurrences and subsumed into the cost of running the service. The operational cost of providing the service is expected to be met by the income generated through permits, vouchers, pay and display and enforcement revenue.

4.11.6 Permits, pay and display income

It is estimated that £105,000 will be generated through all parking permit sales.

Permit type	Permits	No of motorcycles*	Estimated income
All zone external	181	7	£10,640
All zone internal	452	18	£27,360
Business	616	24	£6,720
Doctor	16	1	£340
Estate resident	3994	157	£6,045
Health and social care	209	8	£1,000
Residents	21868	862	£52,582
Total	27336	1078	£104,687

*Based on the number of cars and motorcycles registered in the United Kingdom in 2017 and our current permit sales

*Source:<https://www.statista.com/statistics/312594/motorcycle-and-car-registrations-in-the-united-kingdom/>

4.11.7 On the minimum fee of £1.40 per hour, Parking Services have estimated – based on the assumptions set out below - that demand will fall by more than half, as the cost of commuting daily and parking for 8 hours per day would increase to £2,900 a year, which would act as a significant disincentive to commuters, and encourage many to move towards public transport.

4.11.8 However, it is important to note that as no other local authority has introduced a charge at the same level as Hackney are proposing to do, and as such no data exists to accurately model the impact it will have. For this reason the assumptions used are conservative in terms of their impact on income.

Modelling*	
Number of motorbikes parking in Hackney each day	1,000
Estimated total motorcycle parking sessions per year (number of motorcycles, times the average maximum parking stay of four paying £4.80 per hour, times the number of working days per year.	1,040,000
Estimate**	
Estimated income from introduction of pay and display for motorcycles paying the maximum fee of £4.80 per hour.	£998,000

*figures are based on 1,000 motorcycles parking for four hours each day, every working day for a year.

**Estimating based on the lower pay and display rate of £1.40 the figure is £291,200.

4.11.9 Visitor vouchers income cannot be estimated without a better understanding of how many motorcyclists are visiting residents in the borough. This will be addressed in the consultation.

5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5.1 Do nothing – this was also rejected as it goes against the Mayor's priorities to prioritise quality of life and the environment by tackling air pollution.

5.2 The removal of all solo motorcycle bays to discourage commuting to the borough and only allowing motorcycles to park in pay and display or shared use bays at the same price as other vehicles - this would be a fair approach to all motorists, but is likely to be unpopular amongst motorcyclists. This approach was rejected as it may lead to problems with motorcyclists utilising whole spaces for vehicles instead of parking perpendicular to the kerb and may also increase parking pressure. There is also a significant cost associated with removing and changing the bay type.

5.3 Reviewing the CO₂ bands for all permit types - our proposals to introduce motorcycles and scooters at the same fee as other vehicles, is driven by the vehicle's emissions, and is not its size. Therefore this would be entirely consistent with our policy. Changing the CO₂ bandings to take into consideration all types of polluting vehicles was also considered and will be taken forward as part of a separate project.

6. BACKGROUND

6.1 Hackney Council currently does not charge motorcycles to park in resident permit, business permit, shared use (combined pay and display and permit holders) and general permit bays outside of parking zone B.

6.1.1 Motorcycles are not allowed to park in:

- Pay and display only bays for free.
- Any bays dedicated for the use of disabled people, car clubs, doctors or emergency services.

- 6.1.2 Motorcyclists are asked to park at the end of the bay and at 90 degrees to the kerb, although this is not a strict requirement.
- 6.1.3 Tricycles and quad bikes currently require a permit to park and are aligned to our vehicle pricing structure. Both tricycles and quad bikes are subject to a separate pricing policy with the DVLA as they are recognised as having bigger engines. This policy is expected to remain the same.
- 6.1.4 Commuting by motorcycle is largely concentrated to the south of the borough near to the City of London, as workers in the borough choose to travel to work by motorcycle, and in the past occupy a whole permit bay by parking horizontally or in numbers.
- 6.1.5 Everything we have achieved is not enough, as we now know that emissions from vehicles contribute heavily to unacceptable levels of poor air quality in Hackney and research shows motorcycles emit just as much NOx air pollutants as vehicles.

6.2 Policy context

- 6.2.1 Recommendation 4.9 of the Parking Enforcement Plan 2015-20 (PEP) set out the following proposal:

Recommendation 4.9

To introduce a charge for all motorcycle parking in Hackney.
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- 6.2.2 The rationale behind this recommendation is set out below.
- 6.2.3 *4.31 Hackney is under a number of statutory obligations to improve local air quality and the objective of improving air quality is one of the factors which has to be taken into account under the Road Traffic Regulation Act 1984. Reducing emissions of the climate change gas CO₂ is also a relevant matter which the Council takes into consideration under the Act. Roughly five motorcycles can fit into one car space, therefore there is the potential for five times the current level of car pollution per car space. Furthermore, research has shown that motorcycles emit nitrogen oxide within the range of petrol and diesel cars. In particular, we are keen to improve the air quality in Zone B where there is a high demand for commuter motorcycle parking.*
- 6.2.4 *4.32 There is potential to introduce emissions-related charging for motorcycles in Hackney. The system would include motorcycles in the standard charging system for cars. Charging for motorcycles to park in all bays will help to control the number of people who commute using a motorcycle and make unnecessary*

journeys. In turn, this will help improve the air quality for our residents. Solo motorcycle bays will attract charges for the same reasons. Due to the generally low CO₂ emission of motorcycles, residents with motorcycles would usually pay the lowest chargeable rate of £51.00 for their resident parking permits.

6.3 Equality impact assessment

6.3.1 Following the feedback from the consultation, an Equalities Impact Assessment (EIA) will be completed and the actions incorporated into the proposals.

6.4 Sustainability

6.4.1 An ongoing key objective of the Parking and Enforcement Plan (PEP) 2015-20 is to continue tackling climate change by reducing emissions to improve air quality. The PEP also recommends charging for motorcycle parking, following the introduction of the congestion charge in 2003. Transport for London (TfL) data indicated an increase in motorcycle trips within the charging zone of about 15%, the borders of which Hackney is close to.

6.4.2 Motorcycles tend to be less expensive to buy and run than cars, can pass through traffic more easily and are exempt from the congestion charge and parking in Hackney.

6.4.3 The Council aims to encourage commuters and other users to consider how they travel and support the use of more sustainable types of transport, such as walking, cycling, using public transportation, and car sharing initiatives. This is in order to reduce the impact of transport on climate change and lower congestion levels and parking stress across Hackney.

6.5 Consultation approach

6.5.1 The Parking and Markets Service will carry out a borough-wide consultation in order to receive the views of key internal and external stakeholders. The consultation process will start in January 2020 for a period of 12-weeks. The aim is to reach as many individuals and organisations as possible during the consultation, with the quality of responses taking precedence over the number of responses received.

6.5.2 Stakeholder consultation

Stakeholders and key partners will be offered a meeting to discuss the proposals and provide feedback during the consultation. These include but are not limited to:

- Hackney Borough Police
- Hackney Housing
- London Councils
- Members
- NHS Primary Trust
- Streetscene
- The Department for Transport
- Transport for London

6.5.3 Key internal and external stakeholders will be sent an email or letter detailing the proposed recommendations. They will be asked for their feedback and offered a chance to discuss the draft proposals in person in a one to one meeting or focus group (for hard to reach groups). All the findings from consulting with stakeholders will be used to shape the final proposal.

Public consultation

6.5.4 All permit holders in the borough will be sent a consultation pack requesting feedback on the proposals.

6.5.5 There will be a range of engagement tools used to maximise both stakeholder and community engagement. This includes:

- **Communications campaign** – this includes advertising on the Hackney website homepage, intranet and internal communications platforms such as staff headlines.
- **Consultation pack consisting of a booklet and questionnaire** – this will explain why we are consulting and the options available. A questionnaire will also be produced posing questions on the proposals and inviting consultees to make general comments on motorcycle parking permits. The booklet and questionnaire will be sent to all parking permit holders and a link to the consultation will also be available on our website and in Hackney Today or local newspaper. The consultation pack will also be available in receptions and all Hackney libraries.
- **Drop-in-sessions** – to inform and raise awareness of the consultation and explain in person the proposals in full. The sessions will be advertised in the consultation materials, citizen's space, on our website

and in Hackney Today. The drop in sessions will be held at different dates and times across the borough. This includes but is not limited to:

1. Broadway market
2. Chatsworth market
3. Clapton library
4. Hackney Service Centre
5. Hackney Town Hall
6. Homerton library
7. Hoxton Street market
8. Learning Trust
9. Ridley Road market
10. Stamford Hill library
11. Stoke Newington library

- **Member's consultation packs** – to ensure all councillors are informed of the proposals and can advise their constituents accordingly.
- **Hackney website** – the parking page on the Hackney website www.hackney.gov.uk/parking will be used from the start of the consultation to advertise the consultation. It will state where copies of the consultation booklet and questionnaire can be obtained, announce public events and encourage the reader to respond online.
- **Customer contact** – There will be frequently asked questions fact sheet for front line staff with further information, their details will be passed to the parking policy team to respond to.

6.5.6 Once the public consultation has concluded and the responses have been analysed, the motorcycle parking permits paper will return to Cabinet in autumn 2020, where the final decision on the motorcycle parking permit will be made.

6.6 Risk assessment

6.6.1 The key risks relating to the proposed motorcycle parking policies will be considered and factored into the decision making process once feedback to the consultation has been received.

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

- 7.1 In Hackney motorcycles can park for free. Developments in technology have led to the introduction of cashless parking and e-permits and now presents a practical solution to motorcycle charges.
- 7.2 The recommendations of the report in section 3 address this challenge by proposing a borough wide consultation to take place in January 2020 which will last for 12 weeks and will set out proposals to treat motorcycles like cars better aligning motorcycles across all parking products.
- 7.3 The report contains the proposed fees and section 4.11 sets out the indicative costs where it could be quantified with a large portion of the cost will be for the installation of secure parking hoops. The initial consultation, setup and development costs will be contained within existing resources with the aim of this being self funding going forward from the income being generated.
- 7.4 Section 4.11.8 sets out some modelling which has been done and a lot of assumptions have been made in terms of the expected level of income from the proposals. It is difficult to provide assurance of accuracy of the impact of the change on income or user behavior as there is no comparable data available from other boroughs. All parking revenue income and surplus are utilised within the conditions specified in the s55 of the Road Traffic Regulations Act 1984.
- 7.5 The objective of the Council is to reduce the impact of transport on the climate and reduce congestion levels and parking stress in Hackney. There will be a commitment to address the security concerns of motorcyclists by rolling out secure motorcycle parking across all the Council motorcycle bays over the next three years.

8. VAT Implications on Land & Property Transactions

N/A

9. COMMENTS OF THE DIRECTOR, LEGAL & GOVERNANCE SERVICES

- 9.1 This is a motorcycle parking review for changes to the policies for motorcycle parking in the borough that will be consulted upon over a 12 week period in January 2020 as outlined in the Council's Parking Enforcement Plan (PEP) 2015-20. The proposed changes include motorcycle parking permits to create more uniformed policies and to provide more secure parking for motorcycles. In addition to reduce the impact of transport on climate change and to lower

congestion levels and parking stress in the Hackney area as set out in paragraph 3.1 above.

- 9.2 The Council may under section 45 of the Road Traffic Regulation Act 1984 (the "1984 Act") designate parking places on highways for various classes of vehicles. Section 46 of the Act allows the Council to charge for parking in places. Before a traffic order designating a parking place is made or varied the Council must consult and publish notification of the proposed Traffic Management Orders in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the "Procedure Regulations").
- 9.3 In determining what parking places are to be designated under section 45 of the 1984 Act, the Council shall consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the Council shall have regard to the need for maintaining the free movement of traffic, reasonable access to premises and the extent to which off-street parking is available in the neighbourhood. In addition to this the Council must secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.
- 9.4 The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions, which the Council should have regard to when exercising its power to introduce designated parking places, recommends that enforcement authorities consult locally on their parking policies when they appraise them. They should seek the views of people and businesses with a range of different parking needs as well as taking into account the views of the police.
- 9.5 The non-statutory consultation will be carried out in accordance with the guidance produced by the Government's Cabinet Office Consultation Principles. These principles do not displace the general principles derived from case law as to how consultations should be conducted. These principles, are known as the "Gunning principles" and are as follows;
 - a) Consultation should occur when proposals are at a formative stage;
 - b) Consultations should give sufficient reasons for any proposal to permit intelligent consideration;
 - c) Consultations should allow adequate time for consideration and response;

d) Following the consultation coming to an end the Local Authority should conscientiously consider the consultation responses, or a summary of them, before determining what, if any, action to take.

9.6 The exercise of powers contained in the 1984 Act relating to parking is an executive function.

9.7 Consulting on a new parking strategy to facilitate the discharge of the Council's parking functions under the 1984 Act is a decision to be taken by the Mayor and Cabinet in accordance with the Council's parking policies (PEP 2015-20) and the Mayor's Scheme of delegation.

APPENDICES

None

EXEMPT

N/A

CONFIDENTIAL

N/A

BACKGROUND PAPERS

In accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012 publication of Background Papers used in the preparation of reports is required. Description of document (or none).

None

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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