



COUNCIL

All Members of the Council are
HEREBY SUMMONED
to attend a meeting of the Council
to be held on:
Wednesday 26 January 2022
at 7pm
Hackney Town Hall,
Mare Street, London,
E8 1EA

This meeting will be live streamed and can be viewed here:

<https://youtu.be/qLIyUPIz7Qw>

Backup - https://youtu.be/Wgd7_aXZyl8

Mark Carroll
Chief Executive
18 January 2022

Contact: Andrew Spragg
Governance Services Team Leader
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www.hackney.gov.uk

ORDER OF BUSINESS AND INDICATIVE TIMINGS

Agenda Item No.	Agenda Item	Minutes NOT EXCEEDING
1-4.	Preliminaries	15 minutes (7.15pm)
5.	Questions from Members of the Public	30 minutes (7.45pm)
6.	Questions from Members of the Council	30 minutes (8.15pm)
7.	Elected Mayor's Statement	20 minutes (8.35pm)
8.	Calculation of 2021/22 Council Tax Base and Local Business Rate	5 minutes (8.40pm)
9.	Resolution Not to Issue Casino Licenses	5 minutes (8.45pm)
10.	Gambling Act 2005 Statement of Principles	5 minutes (8.50pm)
11.	Adoption of North London Waste Plan	5 minutes (8.55pm)
12.	Adoption of Councillor Code of Conduct	5 minutes (9.00pm)
13.	Establishment of a Constitution Committee	5 minutes (9.05pm)
14.	Amendments to the Constitution	5 minutes (9.10pm)
15.	Children and Families Service Full and Mid Year Update Report to Members 2020-21	5 minutes (9.15pm)
16.	Annual Report of the Pension Committee 2020-21	5 minutes (9.20pm)
17.	Gender and Ethnicity Pay Gap 2021	5 minutes (9.25pm)
18.	Report on use of Special Urgency Powers	5 minutes (9.30pm)
19.	Draft Calendar of Council Meetings	5 minutes (9.35pm)
20.	Motion: Fire and Rehire	30 minutes (10.05pm)
21.	Dates of Future Meetings	5 minutes (10.10pm)
	TOTAL	3 hours 10 minutes

Council

Wednesday 26 January 2022

Agenda

ORDER OF BUSINESS

- 1 **Apologies for Absence**
- 2 **Speaker's Announcements**
- 3 **Declarations of Interest - Members to Declare as Appropriate**

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: must disclose the interest at the start of the meeting or when or when the interest becomes apparent, and may not participate in any discussion or vote on the matter and must withdraw from the meeting proceedings in person or virtually.

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 2 of Part 5 of the Constitution and Appendix A of the Members' Code of Conduct.

- 4 **Minutes of the previous meeting** (Pages 13 - 26)
 - 4.1 To approve the minutes for the meeting of Council held on 20 October 2021
- 5 **Questions from Members of the Public**
 - 5.1 From Tom Dewey to the Cabinet Member for Energy, Waste, Transport and Public Realm

Can the Cabinet Member tell us what assessment he has made of the impact on Hackney residents and businesses of the proposed reductions in the route 21 bus service by Transport for London (TfL)? And what representations has the Council made to TfL to object to their plans?
 - 5.2 From Joseph Ogundemure to the Cabinet Member for Housing Services

Can the Cabinet Member for Housing Services outline the steps the Council is taking to tackle the backlog of repairs caused by the pandemic and cyberattack?

5.3 From Laura Pascal to the Deputy Mayor for Housing Supply, Planning, Culture and Inclusive Economy

The rising cases of the Omicron variant of Coronavirus (COVID-19) and Government "Plan B" restrictions seriously impacted local businesses, particularly in the retail and catering sector, at their most important time of the year. How has the Council supported Hackney's businesses this winter?

6 Questions from Members of the Council

6.1 From Cllr Polly Billington to the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Leisure

The highly infectious Omicron variant of Coronavirus spread rapidly throughout Hackney before Christmas, causing distress for residents and impacting frontline services. How has the Council encouraged residents to get their first, second and booster jabs, undoubtedly the best safety measure to combat the virus and end this pandemic?

6.2 From Cllr Gilbert Smyth to the Cabinet Member for Energy, Waste, Transport and Public Realm

COP26 has affirmed the need to redouble our efforts in tackling the climate crisis. Since the declaration of our Climate Emergency in 2019, how is Hackney Council ensuring that we reach net zero by 2040 or possibly sooner?

6.3 From Cllr Margaret Gordon to the Cabinet Member for Energy, Waste, Transport and Public Realm

In light of:

- The request for a pause and review of the Edmonton incinerator by Haringey Council, ;
- The conclusions of the All-Party Parliamentary Group on Air Quality that the project should be halted; and
- The concerns about the track record of the contractor Acciona

Is the Cabinet Member satisfied that it is in the best interests of Hackney residents for the development of a new waste to energy facility to go ahead? In addition, can anything further be done by Hackney Council working together with other North London Waste Authority local authorities to increase recycling and explore alternatives to incineration, including new and developing technologies?

6.4 From Cllr Anya Sizer to the Cabinet Member for Community Safety

Ward Councillors for the Shoreditch area have long campaigned for more police and Council resources to manage the night-time economy in the south of the Borough, and we welcome the new dedicated town centre policing team that has been launched. Can the Cabinet Member outline the priorities for the town centre team, and how this will be resourced, specifically focusing on safety for residents, and for the women and girls who want to

safely enjoy the nightlife of Shoreditch?

6.5 From Cllr Ian Rathbone to the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Leisure

With energy bills and inflation on the rise, and national insurance increases due to take effect this April, residents in Hackney, as across the country, are facing increasing economic hardship in the coming year. Please could the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Leisure set out what steps are being taken locally in response to this, including through the Council's ongoing poverty reduction work and our support to the voluntary advice sector as they face an inevitable increase in demand?

6.6 From Cllr Kam Adams to the Cabinet Member for Housing

Could the Cabinet Member share with us the number of social renters that have been evicted since the Government eviction moratorium ended?

6.7 From Cllr Sam Pallis to the Cabinet Member for Housing

Many residents on Tower Garden Estate were without heating before the Christmas period, which has now fortunately been resolved after intervention from the Tenants and Residents Association and Cazenove Councillors. However, many residents have been facing issues surrounding leaks and hot water for years. We are working with officers and residents to form an action plan to tackle this, but an outstanding issue has been concerning the reporting of repairs. Many residents say when they raise repairs they are not informed when they are carried out and believe that they are being charged for visits that have not happened. Please can you respond to the issue raised from residents surrounding the reporting of repairs, and provide an update on tackling the backlog?.

6.8 Question from Cllr Humaira Garasia to the Mayoral Adviser for Private Renting and Housing Affordability

The new Lettings Policy commenced in October 2021, and Councillors were informed by the Mayoral Adviser that services will organise mutual exchange that will make it easier for tenants who are willing to swap their homes with the Council or a housing association. Can the Mayoral Adviser please give us an update on this?

6.9 Question from Cllr Steve Race to the Cabinet Member for Community Safety

In December, an inquest jury set out that “fundamental failings” and “insufficient leadership” within the Metropolitan Police Service probably contributed to the deaths of three of the four young gay men murdered by a serial killer in Barking. Can the Cabinet Member for Community Safety set out what conversations she has had with the Borough Command in Hackney to ensure that lessons from this appalling failure are learnt, so that the LGBTQ+ community in Hackney can have full confidence that the police are able and willing to protect them?

- 7 **Elected Mayor's Statement**
- 8 **Calculation of 2021/22 Council Tax Base and Local Business Rate**
(Pages 27 - 48)
- 9 **Resolution Not to Issue Casino Licenses** (Pages 49 - 52)
- 10 **Statement of Principles Under the Licensing Act 2005** (Pages 53 - 56)
- 11 **Adoption of North London Waste Plan** (Pages 57 - 430)
- 12 **Adoption of Councillor Code of Conduct** (Pages 431 - 436)
- 13 **Establishment of a Constitution Committee** (Pages 437 - 444)
- 14 **Amendments to the Constitution** (Pages 445 - 476)
- 15 **Children and Families Service Full and Mid Year Update Report to Members 2020-21** (Pages 477 - 552)
- 16 **Annual Report of the Pension Committee 2020-21** (Pages 553 - 568)
- 17 **Gender and Ethnicity Pay Gap 2021** (Pages 569 - 590)
- 18 **Report on use of Special Urgency Powers** (Pages 591 - 594)
- 19 **Draft Calendar of Council Meetings** (Pages 595 - 610)
- 20 **Motion: Fire and Rehire**

This Council is committed to fighting for decent pay, terms and conditions for all workers across Hackney and condemns all employers that use Fire and Rehire (known more formally as "dismissal and re-engagement") tactics to impose worse pay and conditions on their workforces.

We call on employers to enter meaningful negotiations with workers and their representatives.

To this end the Council resolves:

- To include a clear statement of the Council's position on fire and rehire as well as our aims to promote good pay, terms and conditions into the Council's Sustainable Procurement Strategy.
- To lobby the UK national government to introduce new legislation to outlaw firing and rehiring staff, exemplified by Barry Gardiner MP's recent private member's bill, "Employment and Trade Union Rights (Dismissal and Re-Engagement) Bill."

21 Dates of Future Meetings

All meetings of Full Council will commence at 7.00pm and are scheduled as follows:

- 2 March 2022 (rescheduled from 23 February 2022)

Public Attendance

The Town Hall is not presently open to the general public, and there is limited capacity within the meeting rooms. However, the High Court has ruled that where meetings are required to be 'open to the public' or 'held in public' then members of the public are entitled to have access by way of physical attendance at the meeting. The Council will need to ensure that access by the public is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice.

Those members of the public who wish to observe a meeting are still encouraged to make use of the live-stream facility in the first instance. You can find the link on the agenda front sheet.

Members of the public who would ordinarily attend a meeting to ask a question, make a deputation or present a petition will be able to attend if they wish. They may also let the relevant committee support officer know that they would like the Chair of the meeting to ask the question, make the deputation or present the petition on their behalf (in line with current Constitutional arrangements).

In the case of the Planning Sub-Committee, those wishing to make representations at the meeting should attend in person where possible.

Regardless of why a member of the public wishes to attend a meeting, they will need to advise the relevant committee support officer of their intention in advance of the meeting date. You can find contact details for the committee support officer on the agenda front page. This is to support track and trace. The committee support officer will be able to confirm whether the proposed attendance can be accommodated with the room capacities that exist to ensure that the meeting is covid-secure.

As there will be a maximum capacity in each meeting room, priority will be given to those who are attending to participate in a meeting rather than observe.

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present. This is particularly important in the case of the Planning Sub-Committee, as it may have a number of items on the agenda involving public representation.

Before attending the meeting

The public, staff and Councillors are asked to review the information below as this is important in minimising the risk for everyone.

If you are experiencing covid symptoms, you should follow Government guidance. Under no circumstances should you attend a meeting if you are experiencing covid symptoms.

Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through [the NHS website](#). If you do not have access to the internet, or have difficulty

with the digital portals, you are able to call the 119 service to book a test.

If you're an essential worker and you are experiencing Coronavirus symptoms, you can apply for priority testing through GOV.UK by following the [guidance for essential workers](#). You can also get tested through this route if you have symptoms of coronavirus and live with an essential worker.

Availability of home testing in the case of people with symptoms is limited, so please use testing centres where you can.

Even if you are not experiencing covid symptoms, you are requested to take an asymptomatic test (lateral flow test) in the 24 hours before attending the meeting.

You can do so by visiting any lateral flow test centre; details of the rapid testing sites in Hackney can be found [here](#). Alternatively, you can obtain home testing kits from pharmacies or order them [here](#).

You must not attend a lateral flow test site if you have Coronavirus symptoms; rather you must book a test appointment at your nearest walk-through or drive-through centre.

Lateral flow tests take around 30 minutes to deliver a result, so please factor the time it will take to administer the test and then wait for the result when deciding when to take the test.

If your lateral flow test returns a positive result then you must follow Government guidance; self-isolate and make arrangements for a PCR test. Under no circumstances should you attend the meeting.

Attending the Town Hall for meetings

To make our buildings Covid-safe, it is very important that you observe the rules and guidance on social distancing, one-way systems, hand washing, and the wearing of masks (unless you are exempt from doing so). You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

To minimise risk, we ask that Councillors arrive fifteen minutes before the meeting starts and leave the meeting room immediately after the meeting has concluded. The public will be invited into the room five minutes before the meeting starts.

Members of the public will be permitted to enter the building via the front entrance of the Town Hall no earlier than ten minutes before the meeting is scheduled to start. They will be required to sign in and have their temperature checked as they enter the building. Security will direct them to the Chamber or Committee Room as appropriate.

Seats will be allocated, and people must remain in the seat that has been allocated to them.

Refreshments will not be provided, so it is recommended that you bring a bottle of water with you.

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. 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:

- Director of Legal and Governance Services
- the Legal Adviser to the meeting; 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.

You will have a disclosable pecuniary interest in a matter if it:

- i. relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- ii. relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- iii. affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

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

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- ii. You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting 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.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting 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.

Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- ii. You may remain in the meeting, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.
- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting 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 meeting. Once you have finished making your representation, you must leave the meeting whilst the matter is being discussed.
- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the 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 non pecuniary interest.

Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal and Governance Services via email dawn.carter-mcdonald@hackney.gov.uk