



C O U N C I L

All Members of the Council are
HEREBY SUMMONED
to attend a meeting of the Council
to be held on:

Wednesday, 1 March 2023 at 7.00 pm
Hackney Town Hall,
Mare Street, E8 1EA

The live stream can be viewed here:
<https://youtu.be/AnWGE00u1So>

Backup link: <https://youtu.be/p0ii-TOSU38>

Mark Carroll
Chief Executive
21 February 2023
www.hackney.gov.uk

Contact: Natalie Williams
Senior Governance Officer
governance@hackney.gov.uk

MEETING OF COUNCIL WEDNESDAY, 1 MARCH 2023 ORDER OF BUSINESS

1 Apologies for Absence

2 Speaker's Announcements

3 Declarations of Interest

Members are invited to consider the guidance which accompanies this agenda and make declarations as appropriate.

4 Minutes of the Previous Meeting :Enclosed (Pages 15 - 48)

To consider the minutes of the meeting held on 25 January 2023

5 Questions from Members of the Public

The deadline for questions from members of the public is 12 noon, four clear working days before the meeting (Wednesday, 22 February). If you wish to submit a question you can do so by emailing governance@hackney.gov.uk or via the Council's website.

A supplementary agenda setting out any public questions received after the publication of the main agenda will be circulated shortly after this deadline.

6 Questions from Members of the Council

6.1 From Cllr Binnie-Lubbock to the Deputy Mayor and Cabinet Member for Delivery, Inclusive Economy & Regeneration

London World reported a net-loss of 431 Hackney council homes in the last 10-years - can you commit to demolition as a last resort as per guidance and where retrofit/refurbishment is not possible, council homes should be replaced and built to high enough standards to reach Hackney's net zero targets?

6.2 From Cllr Patrick to Cabinet Member for Cabinet Member for Finance, Insourcing and Customer Service

The Money Hub has been running for 4 months now. Please can the Cabinet Member update us on progress with the Council's new Money Hub and the impact this is having for residents suffering from the cost of living crisis?

6.3 From Cllr Garbett to the Mayor

Which parts of the council are currently establishing co-ops to challenge market failures and how many will be set up by 2026?

6.4 From Cllr Gilbert Smyth to the Mayor

On 27 January part of a privately owned building on Stoke Newington High Street collapsed onto the street and pavement below. Thankfully there were no injuries but many residents and businesses had to vacate their homes and premises to ensure their and the public's safety. Stoke Newington High Street also has to close for more than 3 weeks now. Going forward, will the Council be offering further support helping those affected get back to their normal lives after this traumatic and upsetting experience?

6.5 From Cllr Binnie-Lubbock to the Cabinet Member for Environment and Transport

It's great to have Lime e-bikes in Hackney but residents are concerned that too many of them are not being parked correctly. How many fines have been issued & does the council receive any proportion?

6.6 From Cllr Ifraax Samatar Deputy Mayor and Cabinet Member for Education, Young People and Children's Social Care

What actions are being taken to support groups most affected by the introduction of photo voter ID (young people, older people, people with disabilities and those blocked by language barriers and has the process of raising awareness about the new requirement started?

6.7 From Cllr Conway to the Cabinet Member for Employment, Human Resources and Equalities

In light of the forthcoming 75th anniversary of HMT Empire Windrush arriving in the UK, what representations has the Cabinet Member with responsibility for Windrush made to the Home Secretary regarding comments she has made about Wendy Williams' recommendations in the Lessons Learned Review?

6.8 From Cllr Adams to the Cabinet Member for Families, Parks and Leisure

In Hoxton East and Shoreditch we have been closely following the progress of improvement works at Shoreditch Park since works began last spring. Can the lead member for Families, Parks and Leisure provide an update on how community-led designs have been built into the park and confirm when we will see it fully open up to the public?

6.9 From Cllr Pallis to the Cabinet Advisor for Private Rented Sector and Housing Affordability

Can the Mayoral Advisor provide an update on the impact of the licensing scheme in Cazenove ward?

6.10 From Cllr Sizer Cabinet Member for Health, Adult Social Care, Voluntary Sector and Culture

What plans are there to develop the support available for sufferers of ME or Chronic Fatigue Syndrome within the Borough?

7 Elected Mayor's Statement

8 2023/24 Budget and Council Tax Report – Report of the Mayor : Enclosed (Pages 49 - 354)

9 Amendment to the Mayor's Scheme of Delegation – Report of the Mayor : Enclosed (Pages 355 - 368)

10 Draft Calendar of Council Meetings 2023/24 – Report of the Director of Legal, Democratic and Electoral Services: Enclosed (Pages 369 - 384)

11 Motions

11a Supporting the Transgender Community (Joint Labour and Green Group Motion)

This Council believes in equity of opportunity and that human rights are the bedrock of our society. Trans women are women. Trans men are men. Non-binary people are non-binary. We believe in the dignity of all people, and their right to respect and equity of opportunity. We value the strength that comes with difference and the positive contribution diversity brings to our community. Our aspiration is for Hackney to be a safe, welcoming, and an inclusive borough for everyone, no matter their gender identity or gender expression.

This Council notes:

- The rise in reports of violent attacks and hate crime against LGBTQIA+ people, with hate crime against trans people having quadrupled in the last 5 years.
- The Tory Government has fallen far short of its promise to reform the Gender Recognition Action (GRA), despite the consultation yielding overwhelming support for change, the results mean the process will not be de-medicalised, the spousal veto will remain, and legal recognition for non-binary individuals will not be extended.
- The concerning rise in transphobia in the UK, from individuals, politicians and the media, as well as the increasing severity of the threats faced by the trans community.
- That transgender and non-binary people may require specific support to access services without facing discrimination. All council services must be equipped to welcome and provide appropriate service and good customer care to suit transgender and non-binary people.
- Data on gender identity was gathered in the 2020 Census for the first time. More than 1% said their gender is different to their sex registered at birth. Hackney also has the highest number and the highest proportion of usual

residents who described a nonbinary+ gender identity out of any of the 34 London boroughs.

- That there are transgender and non-binary people in Hackney of all ages, and that the need for better understanding and acceptance of what it means to be transgender or non-binary is an intergenerational issue.
- That transgender and non-binary people may face intersecting struggles due to factors like their race, religion, disability, socio-economic background, or sexuality.
- Hackney Council has a proud and recognised history of working to achieve equality of opportunity both within the Town Hall and across the borough, whilst supporting groups and organisations to deliver essential services, projects and events.
- The vital work done by groups in Hackney to support local trans and nonbinary people, as well as the wider LGBTQIA+ community. Including, but not limited to, Project Indigo, Rainbow Mind, ELOP, Proud Hackney (the Council's LGBTQIA+ staff network), Pride in Education, Dalston Superstore, Shelter, Live Through This, St Paul's West Hackney, London Friend, Positive East, Mouth That Roars, Volunteer Centre Hackney, Rio Cinema, Queer China Collective.
- The London Borough of Hackney first flew the Progress rainbow flag to mark LGBTQIA+ History Month, in February 2019, and the Intersex Inclusive Pride flag for LGBTQIA+ history month in February 2023.
- That the London Borough of Hackney has marked the Trans Day of Remembrance since 2021.
- That Hackney Council has taken the following recent work to support the LGBTQIA+ community: ensuring Mx is included on the data standards, and our standard equality monitoring form has, since 2011, included "Male, Female, Prefer to use my own term."
- That despite positive initiatives there is always more to do to ensure we are a genuinely supportive, inclusive and welcoming borough. The Council will seek to better support transgender and non-binary people to live happy, healthy and fulfilling lives.
- The Council has an inclusive language guide to ensure council forms and documents are trans and non-binary inclusive where possible.

This Council therefore resolves:

- To state publicly that trans rights are human rights and affirm the legal rights of all protected groups under the Equality Act 2010.
- To do more to shift the culture of the Council overall by working with LGBTQIA+ groups to encourage training for councillors and council staff to raise awareness of the difficulties transgender and non-binary people face and of the support councillors could offer to this community.
- To continue supporting and celebrating the work of Proud Hackney, the Council's LGBTQIA+ staff network.
- To request that the Mayor agrees to publicly acknowledge International Trans Day of Visibility (March 31st).
- To encourage council staff and councillors to consider important gestures that make it clear transgender and non-binary people are welcome.
- To consider the particular needs of transgender and non-binary people who are at high risk of facing homelessness when implementing the Council's existing homelessness and rough sleeping strategy.

- To work with partner organisations to ensure transgender and non-binary people are not discriminated against whilst accessing homelessness services.
- To ask the London Borough of Hackney Health in Hackney Commission to consider the barriers which transgender and non-binary people face when accessing medical care and to find ways of reducing them.
- To review with a view to improving signposting to support services for transgender and non-binary people within Council communications.
- To ask the Chief Executive to ensure all staff are supported in bringing their authentic selves to the workplace, and to consider working towards publishing a statement and commitments akin to that published by Homerton University Hospital NHS Foundation Trust and Barts Health NHS Trust.

Proposer: Cllr Clare Potter

Seconder: Cllr Zoë Garbett

11b Solidarity With Striking Workers (Green Group Motion)

This Council notes:

- The UK is facing a wave of industrial action in the wake of rising prices, a cost-of-living crisis and paltry pay offers
- That in December, the Royal College of Nurses took the unprecedented step of holding a national strike on the 15th and 20th December 2022, and announced strikes on the 18th and 19th of January 2023 alongside other healthcare workers including ambulance workers who are striking in January
- The National Union of Rail, Maritime and Transport Workers took part in strikes on 13th, 14th, 16th and 17th December 2022, with strikes ongoing in January 2023
- Major education unions in England are balloting their members on possible strike action over pay
- Over 70,000 staff at 150 universities across the UK took three days of strike action over attacks on pay, working conditions and pensions
- That under Article 11 of the European Convention on Human Rights, everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of their interests
- That the Conservative government has consistently failed to make adequate pay offers to workers and has repeatedly undermined the right to strike, and has undermined pay offers which could see a successful resolution to the strikes

This Council further notes:

- That Hackney staff have been balloting for industrial action including most recently Library staff voting to strike over the planned restructure to the service
- That all over the country, workers are winning improved wages through the power of collective action
- The Conservative government is undermining the right to strike by allowing employers to use agency workers to break strikes
- That decades of anti-union laws have given us some of the tightest and most undemocratic restrictions on strikes in the advanced industrial world

- The growing popularity of collective action outside of the workplace with community, tenants and renters unions, including ACORN and the London Renters Union, who are providing vital support to their members against the backdrop of more than a decade of Conservative decay

This Council believes that:

- That unions already only resort to strikes after negotiations are exhausted
- That now more than ever, many residents understand that if workers don't fight for fair pay and conditions, they will not be able to make it through the ongoing crises
- Collective action is a necessary tool to rebalance power away from the few to the many, in the workplace and in communities

This Council resolves to:

- Promote trade, community and renters union membership to Hackney's residents
- To work collaboratively with the unions representing the Council's workers
- To ask Hackney residents to support striking workers in whatever way they can
- Ensure that wherever possible, agency workers for Hackney Council are not penalised for taking part in strikes, despite lacking the same legal protections as the employees they work alongside
- Support the attendance of Hackney's two MPs, Diane Abbott and Meg Hillier, and councillors, and our Assembly Members at picket lines in solidarity with striking workers
- Write to the Secretary of State for Business, Energy and Industrial Strategy in opposition to anti-trade union laws, including but not limited to arbitrary thresholds in strike ballots, mandatory balloting of every pay offer, additional cooling off periods, the banning of online ballots and the use of strikebreaking agency workers.
- Write to the Secretary of State for Transport in opposition to the Transport Strikes (Minimum Service Levels) Bill which would infringe on the rights of transport workers to withdraw labour to fight for fairer pay and conditions, and oppose any future legislation for other sectors
- Write to the Secretary of State for Justice in opposition to the proposed British Bill of Rights, that threatens the right of workers to organise collective action.

Proposer: Cllr Alasair Binnie-Lubbock

Seconder: Cllr Zoë Garbett

11c Hackney: A Borough of Sanctuary (Labour Group Motion)

This Council notes:

- That the Coalition and successive Conservative governments' "Hostile Environment" policies deliberately make life hard for refugees, asylum seekers and for those who cannot prove their right to remain in the UK.
- During the Windrush 75th anniversary year, the government is rowing back on key recommendations made by Wendy Williams in the 2020 Lessons Learned Review: to create a the post of Migrants' Commissioner; increase the powers of the Independent Chief Inspector of Borders and Immigration (ICIBI) to

publish reports; and to run a series of reconciliation events with members of the Windrush Generation to discuss the impact of the scandal on their lives.

- The Government's cruel treatment of the Windrush Generation has forced many Hackney residents who were born in the UK, to go through unnecessary amounts of distress, with some being deported.
- The Council will continue to celebrate tolerance and diversity and welcome refugees and migrants. The Council has already welcomed refugees from Afghanistan, Syria, Ukraine and through formal schemes, who have made Hackney their home over the last 5 years.
- The Government's underfunding of the immigration system and the impact of migrant and refugee communities results in delayed decision making on applications, unjustifiably high and unreasonable fees for immigration applications, and the harsh reality of being excluded from fully participating in society for those who are granted leave to remain in the UK, but who have No Recourse to Public Funds (NRPF).
- The Home Office NRPF policy is inhumane and fails to comply with the legal obligation to safeguard and promote the welfare of children. It has also been found unlawful by the High Court for the third year in a row.
- That the pandemic has brought further difficulties for refugees and migrants, including insecure work, lack of access to decent housing and digital exclusion.

This Council further notes:

- That Hackney celebrates our borough's history of being a welcoming borough, and welcoming everybody, regardless of their background. The Council recognises the contribution of refugees, migrants and those seeking sanctuary to the Borough of Hackney. We are committed to welcoming and including them in all of our activities and actively seek ways in which we can support them.
- That, throughout the pandemic, Hackney Council's support services were open to anyone who needed them, no matter their immigration status.
- Despite limitations imposed by central government, Hackney Council continues to try to find ways to support people with NRPF. For example, the Council has extended eligibility for free school meals to include some children of groups who have no recourse to public funds.
- The Council celebrates Refugee Week annually and publicly shares and celebrates the contribution of refugees and migrants in Hackney.
- That the Council is committed to our refugee and migrant communities. We support the initiative to make Hackney a recognised 'Borough of Sanctuary,' welcoming those fleeing violence and persecution and offering them safety.

This Council resolves to:

- Join a network of cities and towns which promote the inclusion and welfare of people who are fleeing violence and persecution in their own countries and become a recognised "Borough of Sanctuary".
- Continue to celebrate the contribution of refugee and migrant communities to Hackney.
- Continue to work with organisations in Hackney who support refugees, asylum seekers and migrants in the borough to create an inclusive and welcoming borough for those seeking sanctuary here.
- Challenge anti-refugee and anti-migrant attitudes wherever they are found.

- Continue to lobby the government to reform the No Recourse to Public Funds condition so that people are no longer blocked from fully participating in society for years while they wait for their status to be resolved.
- Continue to put pressure on the Government to reverse the Home Secretary's plans to abandon key Commitments on the Windrush Compensation Scheme, following the publication of the lessons learned review, and for the Scheme to be run independently from the Home Office.
- Work with local businesses and community partners to further tackle the digital divide, provide affordable access to online services and look at ways to donate IT devices locally to those in need, rather than scrapping them.

Proposer: Cllr Claudia Turbet-Delof

Seconder: Cllr Midnight Ross

11d Working Towards Becoming a Fertility Friendly Borough (Labour Group Motion)

This Council notes:

- That infertility is defined by the World Health Organisation as a disease of the reproductive system.
- In the UK, it's estimated approximately 1 in 6 heterosexual couples will struggle to conceive, or 3.5 million people per year. However, this number does not include same-sex couples, single or trans people who must also be afforded the right to try for a family.
- Although often seen as a women's health issue, the reality is that both men and women are just as likely to face fertility problems. Data from the fertility regulator, the Human Fertilisation and Embryology Authority, shows that male infertility is the most common reason for a couple to start treatment.
- We welcome the sector leading work of NHS North East London in consulting on and then committing to more equitable access to treatment for all who need it. As a borough we stand on a long history of campaigning around NHS provision and believe all who face fertility issues must be treated with the same dignity.
- There is no legal right to time off for fertility treatment. But, if a woman is refused leave, it could be regarded as unlawful sexual discrimination. It can be ruled that a failure to accommodate conditions specific to women are unlawful.
- The Trade Union Congress (TUC) has asked the Equal Opportunities Commission to recommend leave for fertility treatment in their equality law reform submission.

This Council:

- Welcomes the sector leading work of NHS North East London in consulting on and then committing to more equitable access to treatment for all who need it. As a borough we stand on a long history of campaigning around NHS provision and believe all who face fertility issues must be treated with the same dignity.

Hackney Council is therefore pleased to announce its commitment to becoming a fully Fertility friendly borough as endorsed by the national charity Fertility Network UK, and resolves:

- To begin to work towards becoming a beacon of best practice via training for staff and managers, working towards policy implementation and committing to ongoing support for staff facing fertility issues.
- To campaign for places of work within the London Borough of Hackney to be Fertility friendly, supportive to staff and to join the work of Fertility Networks own Fertility in the Workplace initiative.
- To write to the Government to act upon its own recommendations in the women's health strategy and the recommendations of NICE in fully implementing three cycles of IVF for all who are eligible.
- To call for the implementation of recommendations in the national Government's Women's Health Strategy that same sex couples be afforded the same access to treatment as heterosexual couples.
- To commit to marking fertility awareness week each year as a Council thereby recognising the need to support and help many of our residents facing this issue.

Proposer: Cllr Sem Moema

Seconded: Cllr Ian Rathbone

Dates of Future Meetings

Members are requested to note the dates of Full Council meetings for 2023/24. All meetings of Full Council will commence at 7.00pm and are scheduled as follows:

- 17 May 2023 (Annual Meeting)

Full Council meeting dates for 2023/24 will be approved at the Annual Meeting and published thereafter

Public Attendance

Following the lifting of all Covid-19 restrictions by the Government and the Council updating its assessment of access to its buildings, the Town Hall is now open to the public and members of the public may attend meetings of the Council.

We recognise, however, that you may find it more convenient to observe the meeting via the live-stream facility, the link for which appears on the agenda front sheet.

We would ask that if you have either tested positive for Covid-19 or have any symptoms that you do not attend the meeting, but rather use the livestream facility. If this applies and you are attending the meeting to ask a question, make a deputation or present a petition then you may contact the Officer named at the beginning of the Agenda and they will be able to make arrangements for the Chair of the meeting to ask the question, make the deputation or present the petition on your behalf.

The Council will continue to ensure that access to our meetings 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. The latest general advice can be found here - <https://hackney.gov.uk/coronavirus-support>

Rights of Press and Public to Report on Meetings

The Openness of Local Government Bodies Regulations 2014 give the public the right to film, record audio, take photographs, and use social media and the internet at meetings to report on any meetings that are open to the public.

By attending a public meeting of the Council, Executive, any committee or sub-committee, any Panel or Commission, or any Board you are agreeing to these guidelines as a whole and in particular the stipulations listed below:

- Anyone planning to record meetings of the Council and its public meetings through any audio, visual or written methods they find appropriate can do so providing they do not disturb the conduct of the meeting;
- You are welcome to attend a public meeting to report proceedings, either in 'real time' or after conclusion of the meeting, on a blog, social networking site, news forum or other online media;
- You may use a laptop, tablet device, smartphone or portable camera to record a written or audio transcript of proceedings during the meeting;
- Facilities within the Town Hall and Council Chamber are limited and recording equipment must be of a reasonable size and nature to be easily accommodated.
- You are asked to contact the Officer whose name appears at the beginning of this Agenda if you have any large or complex recording equipment to see whether this can be accommodated within the existing facilities;
- You must not interrupt proceedings and digital equipment must be set to 'silent' mode;
- You should focus any recording equipment on 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 to respect the wishes of those who do not want to be filmed and photographed may result in the Chair instructing you to cease reporting or recording and you may potentially be excluded from the meeting if you fail to comply;

- Any person whose behaviour threatens to disrupt orderly conduct will be asked to leave;
- Be aware that libellous comments against the council, individual Councillors or officers could result in legal action being taken against you;
- The recorded images must not be edited in a way in which there is a clear aim to distort the truth or misrepresent those taking part in the proceedings;
- Personal attacks of any kind or offensive comments that target or disparage any ethnic, racial, age, religion, gender, sexual orientation or disability status could also result in legal action being taken against you.

Failure to comply with the above requirements may result in the support and assistance of the Council in the recording of proceedings being withdrawn. The Council regards violation of any of the points above as a risk to the orderly conduct of a meeting. The Council therefore reserves the right to exclude any person from the current meeting and refuse entry to any further council meetings, where a breach of these requirements occurs. The Chair of the meeting will ensure that the meeting runs in an effective manner and has the power to ensure that the meeting is not disturbed through the use of flash photography, intrusive camera equipment or the person recording the meeting moving around the room.

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You **must not**:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions,, lobbying or campaign groups, voluntary organisations in the borough or governorships at any educational institution within the borough.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. You **may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.