Hackney

London Borough of Hackney – Decisions taken by the Council on Wednesday 1 March 2023

Agenda	Торіс	Decision
Item No		

Part A – Items considered in public

4	Minutes of the Previous Meeting	RESOLVED: That the minutes of the meeting of Council held on 25 January 2023 were agreed as a true and accurate record of proceedings.
8	2023/24 Budget and Council Tax Report	as a true and accurate record of proceedings. An amendment was proposed by Cllr Garbett and seconded by Cllr Binnie-Lubbock. On a recorded vote, there being; 2 Members for: Cllrs Binnie-Lubbock and Garbett 36 Members against: Mayor Glanville and Cllrs Adams, Adebayo, Baffour, Bramble (Deputy Mayor), Chapman, Coban, Conway, Desmond, Etti, Fajana-Thomas, Garasia (Speaker),Hayhurst, Kennedy, Lisser, Maxwell, Moema, Nicholson (Deputy Mayor), Narcross, Ogundemuren, Pallis, Patrick, Potter, Race, Rathbone, Sizer, Smyth, Steinberger, Suso-Runge, Troughton, Turbet-Delof, Walker, Webb, Williams, Woodley, Wrout. No abstentions The amendment to the MOTION was lost and the amendment to the proposed budget was NOT CARRIED A second amendment was proposed by Cllr Steinberger and seconded by Cllr Lisser. On a recorded vote, there being; 2 Members for: Cllrs Lisser and Steinberger
		36 Members against: Mayor Glanville and Cllrs Adams, Adebayo, Baffour, Binnie-Lubbock,

Decision Agenda Topic Item No Bramble (Deputy Mayor), Chapman, Coban, Conway, Desmond, Etti, Fajana-Thomas, Garasia (Speaker), Garbett, Hayhurst, Kennedy, Maxwell, Moema, Nicholson (Deputy Mayor), Narcross, Ogundemuren, Pallis, Patrick, Potter, Race, Rathbone, Sizer, Smyth, Suso-Runge, Troughton, Turbet-Delof, Walker, Webb, Williams, Woodley, Wrout. No abstentions The amendment to the MOTION was lost and the amendment to the proposed budget was NOT CARRIED The substantive MOTION was put to the vote. On a recorded vote, there being; 34 Members for: Mayor Glanville and Cllrs Adams, Adebayo, Baffour, Bramble (Deputy Mayor), Chapman, Coban, Conway, Desmond, Etti, Fajana-Thomas, Garasia (Speaker), Hayhurst, Kennedy, Maxwell, Moema, Nicholson (Deputy Mayor), Narcross, Ogundemuren, Pallis, Patrick, Potter, Race, Rathbone, Sizer, Smyth, Suso-Runge, Troughton, Turbet-Delof, Walker, Webb, Williams, Woodley, Wrout. 2 Members against: Cllrs Lisser and Steinberger 2 Members abstained: Cllrs Binnie-Lubbock and Garbett **RESOLVED:** 1. To bring forward into 2023/24 the Council's projected 2022-23 General Fund balance of £15.0m with the aim of increasing this to £20m over the medium-term period to 2026/27 noting the Housing Revenue Account (HRA) balances of £13.7m.

Agenda Item No	Торіс	Decision
-	Topic	 Decision To agree for approval the directorate estimates and estimates for the General Finance Account items set out in Table 2 in Section 14 of this report. To note that the budget is a financial exposition of the priorities set out within the Strategic Plan summarised at Section 6 below. To note that in line with the requirements of the Local Government Act 2003, the Group Director, Finance and Corporate Resources, is of the view that: The General Fund balances which currently stand at £15.0m and the level of other reserves are adequate to meet the Council's financial needs for 2023/24 and that considering the economic uncertainty they should not fall below this level and that the aim is to increase these to £20m over the medium term period to 2026/27 from a review of current earmarked reserves. This view takes account of the reserves included in the Council's latest published 2021/22 Accounts and the movements of those reserves since that date – which have been tracked through the Overall Financial Position (OFP) Reports, and the latest OFP projections. Note also, that the projections in the HRA Budget to maintain the balance at £13.7m by 31 March 2023 are also considered to be adequate at this point in time but will need to continue to be reviewed in the light of the challenges facing the HRA. In 2019/20 the HRA balance reduced from
		£15m because of the need to set up a provision for Thames Water agency refunds. There is a plan to get back up to £15m through the savings programme over the medium term to replenish reserves and in 2021/22 we were able to increase the HRA balance by £1.4m to £13.7m.
		5. The General Fund estimates are sufficiently robust to set a balanced budget for 2023/24. This takes into account the adequacy of the level of balances and reserves outlined above and the assurance gained from the comparisons of the 2022/23 budget with the projected spend identified in the December 2022 OFP. The overall level of the corporate contingency has been set at £2m.

Agenda Item No	Торіс	Decision		
		6. To approve the proposed General Fund fees and charges as set out in Appendix 7 for implementation from 1st April 2023.		
		 To continue the policy requiring the Group Director, Finance and Corporate Resources to seek to mitigate the impact of significant changes to either resources or expenditure requirements. 		
		8. To note the summary of the HRA Budget and Rent setting report proposed to Cabinet on 27th February 2023.		
		 To authorise the Group Director, Finance and Corporate Resources to implement any virements required to allocate provision for demand and growth pressures set out in this report subject to the appropriate evidence base being provided. 		
		10. To approve: The allocation of resources to the 2023/24 capital programme referred to in Section 22 and Appendix 6.		
		11. To note that the new capital expenditure proposals match uncommitted resources for the year 2023/24.		
		12. To agree the prudential indicators for Capital Expenditure:- the Capital Financing Requirement; the Authorised Limit and Operational Boundary for External Debt; the Affordability prudential indicators; and the Treasury Management Prudential Indicators for 2023/24 as set out in Section 23 and Appendix 3.		
		13. To confirm that the authorised limit for external debt of £777m agreed above for 2023/24 will be the statutory limit determined under section 3(1) of the Local Government Act 2003. Further reassurance about the robustness of the budget is the confirmation that the		

Agenda Item No	Торіс	Decision
		Council's borrowings are within the boundaries of prudential guidelines.
		14. To continue to support the approach of using reserves to manage emerging risks and liabilities.
		15. To note that at its meeting on 23rd January 2023 the Council agreed its Council Tax Base for the 2023/24 financial year as 78,108.86 in accordance with regulations made under section 33(5) of the Local Government Finance Act 1992. The Council Tax Base is the total number of properties in each of the eight council tax bands A to H converted to an equivalent number of band D properties.
		16. To agree that the following amounts be now calculated by the Council for the year 2023/24 in accordance with Sections 31A to 36 of the Localism Act 2011.
		 17. The authority calculates the aggregate of: (in accordance with Section 31A (2) of the Act) (a) £1,291.628m being the expenditure which the authority estimates it will incur in the year in performing its functions and will charge to a revenue account, other than a BID Revenue Account, for the year in accordance with proper practices. (b) £2m being such allowance as the authority estimates will be appropriate for contingencies in relation to amounts to be charged or credited to a revenue account for the year in accordance with proper practices. (c) £nil being the financial reserves which the authority estimates it will be appropriate to raise in the year for meeting its estimated future expenditure. (d) £nil being such financial reserves as are sufficient to meet so much of the amount estimated by the authority to be a revenue account deficit for any earlier financial year as has not already been provided for.
		 (e) £1.568m being the amount which it estimates will be transferred in the year from its general fund to its collection fund in accordance with section 97(4) of the 1988 Act, and (f) £nil being the amount which it estimates will be transferred from its general fund to its

 Agenda
 Topic
 Decision

 Item No
 Decision
 Decision

collection fund pursuant to a direction under section 98(5) of the 1988 Act and charged to a revenue account for the year.
18. The authority calculates the aggregate of: (in accordance with Section 31A (3) of the Act)
 (a) £1,191.936m being the income which it estimates will accrue to it in the year and which it will credit to a revenue account, other than a BID Revenue Account, for the year in accordance with proper practices. (b) £nil being the amount which it estimates will be transferred in the year from its collection fund to its general fund in accordance with section 97(3) of the 1988 Act. (c) £nil being the amount which it estimates will be transferred from its collection fund to its general fund pursuant to a direction under section 98(4) of the 1988 Act and will be credited to a revenue account for the year, and (d) £nil being the amount of the financial reserves which the authority estimates it will use in order to provide for the items mentioned in subsection (2) (a), (b), (e) and (f) above.
19. £103.260m being the amount by which the aggregate calculated under subsection (1) above exceeds that calculated under subsection (2) above, the authority calculates the amount equal to the difference; and the amount so calculated is its Council Tax Requirement for the year.
20.£103.260m being the amount at (3.2.17) divided by the amount at (3.2.14) above, calculated by the Council, in accordance with section 31A of the Act, £1,339.15 as the basic amount of its council tax for the year.
21. That the Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council tax for 2023/24 for each part of its area and for each of the categories of dwellings.

 Agenda
 Topic
 Decision

 Item No
 Decision
 Decision

	Valuation Ba	nde Hackne	M					
	A	B	C	D	E	F	G	Н
	892.77	1,041.56	1,190.36	1,339.15	1,636.74	1,934.33	2,231.92	2,678.30
22	2. That it be not amounts in p Government	recepts issu Finance Ac	ied to the (Council, in	accordanc	ce with Se	ction 40 of	the Local
	Valuation Ba	nas GLA B	С	D	E	F	G	Н
	289.43	337.66	385.90	434.14	530.62	627.09	723.57	868.28
	Valuation Ba	nds Combin	ed Hackne	ey/GLA				
	A	В	С	D	Е	F	G	
								Н
	1182.20	1379.22	1576.26	1773.29	2167.36	2561.42	2955.49	H 3546.58

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		Government Finance Act 1992, and the new provisions included in the Localism Act 2011, the increase in the Council's Council Tax requirement for 2023/24 as shown at Appendix 8 is not excessive (5% or above) and therefore does not require the Council to hold a referendum.
		26. To agree the Treasury Management Strategy for 2023/24 to 2025/26, set out at Appendix 3.
		27. To agree the criteria for lending and the financial limits set out at Appendix 3.
		28. To approve the MRP statement setting out the method of calculation to be used, as set out in paragraphs 23.19-23.28 below.
9	Amendment to the Mayor's Scheme of Delegation	RESOLVED: To note the contents of the report.
10	Draft Calendar of Council Meetings 2023/24	RESOLVED: To note the proposed Council meeting calendar for 2023/24.
	Supporting the Transgender Community (Joint Labour and Green Group Motion)	RESOLVED: 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

Agenda Item No	Торіс	Decision
		 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 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

Decision Agenda Topic Item No 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.

Agenda Item No	Торіс	Decision
		 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. Proposed by: Cllr Clare Potter Seconded by: Cllr Zoë Garbett
	Solidarity with Striking Workers (Green Group Motion)	RESOLVED: 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

Decision Agenda Topic Item No 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 balloted their members and an NEU national strike took place on 1 February with up to 300,000 members across 23,400 schools. A ballot of 47,000 Junior Doctors who are BMA members in England has supported strike action, to take place for 72 hours between 7.00 am on Monday 13 until 7.00 am on Thursday 16 March. The main union for Tube drivers, ASLEF, has announced a one-day strike for Wednesday 15 March. Over 70,000 staff at 150 universities across the UK took three days of strike action over attacks on pay, working conditions and pensions This Council further notes: In January 2023 the Government announced its Strikes (Minimum Service Level) Bill a wide-ranging set of proposals which, taken as a package, will undermine the basic right to strike and make it harder for workers to organise effectively in trade unions. The proposals will also bring in new restrictions on pickets and protests during strikes. Unions will have to give the details of a lead picketer on every picket line to the police and employers - and the Government has even floated the idea of making all picketers give their details to the police. They may even be required to submit a campaign plan to the police and employers two weeks in advance - setting out what they intend to do, whether they will use a loudspeaker or carry a banner and even what strikers intend to put on social media, such as Facebook or twitter. The Government has also proposed new thresholds for turnout in strike ballots, plus additional thresholds for those working in "important public services". The Government wants to grant ministers the power to unilaterally cut so-called "facilities time" in the public sector. This is paid time-off mutually agreed between employers and unions for union reps to represent their members and negotiate with

AgendaTopicDecisionItem No

 their employer. The Government also proposes to prohibit public sector employers assisting unions collecting their membership subscriptions through payrolls - even though this is used for a variety of other staff benefits such as cycle-to-work schemes and childcare vouchers, and even though unions often meet the costs of this. The Strikes (Minimum Level of Service) Bill has been rushed through parliament without proper scrutiny and does not have backing of the International Labour Organisation (ILO), the United Nations' workers' rights watchdog. The human rights organisations Liberty. Annesty International and the British Institute of Human Rights have said that the Government's proposals "would hamper people's basic rights to protest and shift even more power from the employee to the employer". 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. The Government refuses to allow trade unions to ballot their members electronically, which could help increase engagement, yet use electronic voting in their own party political elections. Trade unions take industrial action for a wide range of reasons including defending wages and pensions, conditions at work and safety. Research by the Resolution Foundation has found that trade union membership has more than halved from 53 per cent in 1890 to 23 per cent in 2021, and to just 10 per cent among low paid workers in the private sector. That the government has consistently failed to make adequate pay offers which could see a successful resolution to the strikes. The dovernment has undermining the right to strike by allowing employers to use agency workers during industrial action. That anti-union laws have agive us some of the tightest and most undemocratic restrictions on s

Decision Agenda Topic Item No That all over the country, workers are winning improved wages through the power of collective action which is growing in popularity outside of the workplace providing vital support to their members against the backdrop of more than a decade of decay. No worker ever wants to go on strike, but it is a crucial last resort for workers after negotiations are exhausted and when their employer refuses to listen to their views, or negotiate with them. The right to strike and protest are not a gift from the State, but fundamental rights fought hard for by workers in the last two centuries, which should be valued and respected in a free and democratic society. Without the right to strike, workers will be unable to defend their jobs or pay, stand up for decent services and achieve fairness and safety at work. Hackney Council maintains positive and constructive working relationships with local trade unions, and believes that the Government's proposals will undermine effective employment relations and meaningful engagement with trade unions within the London Borough of Hackney. Councils should be free to build positive industrial relations that work for their communities with a minimum of central government involvement. The Council welcomes The administration's engagement and promotion of the Council's trade unions, including the instigating regular meetings since 2016. That the administration actively promotes trade union membership at all staff events. That the administration unanimously passed a comprehensive Fire and Rehire Motion in January 2022, sending a clear statement to employers locally that the practice will be actively resisted in the Borough. That key moments like Heart Union Week and International Workers' Memorial Day have become part of the annual calendar. The inclusion of trade union recognition in the Hackney's Sustainable Procurement Strategy, and signatories of Unison Ethical Care Charter.

Agenda Item No	Торіс	Decision
		 The consistent engagement led by the Mayor and ClIr Sem Moema in working with London Renter's Union and accepting their 2022 campaign asks. This Council resolves to: To support the TUC's campaign to protect the right to strike. 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 Write to the Secretary of State for Business, Energy and Industrial Strategy stating our opposition to the Government's 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 agency workers, and unwarranted interference in local industrial relations which risks making matters worse. Write to Shadow Secretary of State for Business and Industrial Strategy, encouraging the implementation of plans as soon as possible after next General Election. In the event that the government's proposals become law, in so far as is lawful for the council as an employer: to continue to allow recognised trade unions to use subscriptions through payroll, or otherwise support trade unions' efforts to move members onto direct debit subscriptions. to maintain current arrangements on "facility time" for trade union reps to represent their members. in so far as is lawful for the council and consistent with its responsibilities to residents, to commit not to use agency workers to break strikes.

Agenda Item No	Торіс	Decision
		Proposer: Cllr Alastair Binnie-Lubbock Seconder: Cllr Zoë Garbett