



C A B I N E T

Monday 18 July 2022

at 6.00 pm Council Chamber, Hackney
Town Hall, Mare Street, London E8 1EA

The live stream can be viewed here:

<https://youtu.be/nwkuTMYlvJg> or <https://youtu.be/L41nIVFtHjQ>

Members of the Committee:

Mayor Philip Glanville, Mayor (Chair)

Councillor Anntoinette Bramble, Deputy Mayor and Cabinet Member for Education,
Young People and Children's Social Care (Vice-Chair)

Councillor Robert Chapman, Cabinet Member for Finance

Councillor Mete Coban MBE

Councillor Susan Fajana-Thomas

Councillor Christopher Kennedy, Cabinet Member for Health, Adult Social Care and
Leisure

Councillor Clayeon McKenzie, Cabinet Member for Housing Services

Councillor Guy Nicholson, Deputy Mayor for housing supply, planning, culture and
inclusive economy

Councillor Carole Williams, Cabinet Member for Employment, Skills and Human
Resources

Councillor Caroline Woodley, Cabinet Member for Families, Early Years and Play

Mayoral Advisors:

Councillor Sem Moema

Councillor Yvonne Maxwell

Councillor Sade Etti

Mark Carroll

Chief Executive

www.hackney.gov.uk

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Governance Officer

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Cabinet

Monday 18 July 2022

Agenda

1 Apologies for Absence

2 Urgent Business

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 17 below).

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:

- (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.

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

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.

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.

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.

5 Questions/Deputations

Deputation - Motorcycle parking permits review

The document 'Motorcycle parking permits review – summary and recommendations report' contains serious factual errors.

Hackney should urgently withdraw this document, reassess the consultation in light of accurate evidence, and revisit decisions based upon it.

Some examples of errors are:

- "respondents felt motorcycles were better for the environment compared to cars, vans and lorries. However this is contradicted by research that shows that motorcycles contribute heavily to dangerous nitrous oxide (NO₂), and Particulate Matter (PM₁₀) pollutants on a par with vehicle counterparts."
- "Research also shows that motorcycles are proven to emit less CO₂, but much more harmful levels of nitrogen oxides than cars."
- "research has shown that motorcycles emit nitrogen oxide (NO₂) within the range of petrol and diesel cars."

These statements are all false. Official National Statistics produced by BEIS and Defra show that PTWs produce around 70% less NO₂ and 50% less PM than cars on a per km basis. In addition, NO₂ is nitrogen dioxide not nitrous oxide or nitrogen oxide as referred to in the report.

These errors appear to show a misunderstanding of the issue and are as a result of using inappropriate and unreliable research which vastly overstates PTW impact.

These errors are important for the following reasons:

- The February 2021 Cabinet decision on motorcycle parking permits was made on the basis of incorrect evidence
- The errors themselves were fundamental to the decision and were used as a justification for the decision
- The belief in this incorrect evidence led to officers dismissing the correct evidence when it was presented, as is seen in the report: "respondents felt motorcycles were better for the environment [...] this is contradicted by research [...]"
- The majority view of consultation respondents in opposing charging for PTWs was dismissed on the basis that a majority were also concerned about air quality. This logic was also based on the false belief that PTWs are more polluting than cars
- The reliance on these errors has led to and is leading to incorrect decisions. The errors resulted in a disproportionate view of PTW impact on others, which was used to justify a disproportionate impact on PTWs
- The council has a responsibility to make decisions that are evidenced based, fair and proportionate, and cannot make decisions based on flawed evidence

The deputation will be introduced by Cathy Phillpotts.

To agree the minutes of the previous meeting of Cabinet held on 27 June 2022.

- 7 Capital Update and Property Disposals And Acquisitions Report - Key Decision No. FCR S084 (Pages 17 - 38)**
- 8 2021/22 Overall Financial Position Report - May 2022 - Key Decision No: FCR S083 - TO FOLLOW (Pages 39 - 64)**

The report is late because of the need to properly reflect various exceptional factors and new emerging external information including government announcements as well as the ongoing impact of Covid19, the Cyberattack and the current wider economic situation.

- 9 Acquisition of Local Space properties - Key Decision No: FCR S078 (Pages 65 - 78)**
- 10 Woodberry Down Principal Development Agreement updates - Key Decision No: CHE 112 (Pages 79 - 96)**
- 11 Article 4 Direction to remove permitted development rights for change of use from Use Class E to residential in Hackney's designated industrial areas - Key Decision No: NH S111 (Pages 97 - 116)**
- 12 A Place for Everyone Hackney Voluntary and Community Sector Grants - Key Decision No: CED S115 (Pages 117 - 176)**
- 13 New items of unrestricted urgent business**

To consider any items admitted at Item 2 above.

- 14 Exclusion of the press and public**

Note from the Governance Services Manager

Items 15 and 16 allow for the consideration of exempt information in relation to items 7 and 10 respectively.

RESOLVED:

That the press and public be excluded from the remainder of the meeting as the items below contain exempt information, as defined under paragraph, 3 & 5 of Part 1, schedule 12A of the Local Government Act 1972.

- 15 Capital Update and Property Disposals And Acquisitions Report - Key Decision No: FCR S084 (Pages 177 - 186)**

Exempt Appendix in relation to item 7.

- 16 Woodberry Down Principal Development Agreement updates - Key Decision No: CHE 112 (Pages 187 - 192)**

Exempt Appendix in relation to item 10.

17 New items of exempt urgent business

To consider any EXEMPT items admitted at Item 2 above.

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.