



London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Unless otherwise indicated, executive decisions listed in this document will come into force and may then be implemented 5 working days after publication of this document unless the decision is called in. During that period the Director of Legal, Democratic and Electoral Governance Services may call-in a decision for scrutiny if so required by no fewer than 5 Members of the Council (Part 4 of the Council’s Constitution; Scrutiny Procedure Rules: Call-in Procedures).

Date of Publication: 13 December 2022

Last Date for Call-In: 19 December 2022

Agenda Item No	Topic	Decision
----------------	-------	----------

Part A – Items considered in public

1	Apologies for Absence	Apologies for absence were received from Cllr McKenzie and Cllr Kennedy.
2	Urgent Business	No urgent business was raised and discussed.
3	Declarations of interest - Members to declare as appropriate	There were none.
6	Unrestricted Minutes of the Previous Meeting	That the unrestricted minutes of the previous meeting of Cabinet held on 21 November 2022 were approved.
7	FCR S091 Capital Update and Property Disposals and Acquisitions Report	RESOLVED That the Cabinet: I. Approved the scheme for Climate, Homes & Economy as set out in section 11 of the report as summarised below as follows: CCTV Enforcement Cameras: Resource and spend approval of £650k (£300k in 2022/23 and £350k in 2023/24) is requested to purchase and install 32 CCTV

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>Enforcement Cameras across the borough to support the Low Traffic Neighbourhood (LTN) and School Streets programme.</p> <p>II. That the scheme for Finance and Corporate Resources as set out in section 11 be approved as follows:</p> <p>III. North East London Clinical Commissioning Group (CCG) Primary Care Project: Resource and spend approval of £4,268k in 2023/24 is requested to increase the existing budget for the construction of a primary care surgery at land to rear of 2-28 Belfast Road, N16 and The Portico, 34 Linscott Road, E5.</p> <p>IV. That the s106 scheme summarised and set out in section 12 be approved.</p> <p>REASONS FOR DECISION</p> <p>The decisions required are necessary in order that the schemes within the Council’s approved Capital programme can be delivered and to approve the property proposals as set out in this report.</p> <p>In most cases, resources have already been allocated to the schemes as part of the budget setting exercise but spending approval is required in order for the scheme to proceed. Where, however, resources have not previously been allocated, resource approval is requested in this report.</p> <p>To facilitate financial management and control of the Council's finances.</p>
8	FCR S090 2022/23 Overall Financial Position Report - October 2022	<p>RESOLVED</p> <p>That the Cabinet:</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<ul style="list-style-type: none"> I. Noted the update on the overall financial position for October covering the General Fund and HRA. II. Appendix 1 - Overall Financial Position (OFP) Savings with reference to Markets is deferred to the next OFP update and for a future Cabinet meeting for decision. III. Approved the 2023-24 Local London Business Rates Pool recommendations set out in Appendix 2. <p>REASONS FOR DECISION</p> <p>To facilitate financial management and control of the Council's finances and to approve the 2023/25 savings and the pooling proposals.</p>
9	CHE S135 Housing Services Resident Engagement Strategy	<p>RESOLVED</p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> I. Approved the new Housing Services Resident Engagement Strategy as attached at Appendix 1 of this report. II. Approved delegation to the Strategic Director of Housing Services in order to oversee the effective implementation of Strategy and to make any minor amendments to the Strategy and its associated policies. <p>REASONS FOR DECISION</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>Housing Services have not had a Resident Engagement Strategy in place since 2013. Since this time there have been significant changes, both in our local housing context and nationally, which we need to respond to. Summary of these include:</p> <ul style="list-style-type: none"> - Changes in social housing tenure patterns - Changes in technology - High levels of needs, reducing resources - Major changes in housing legislation <p>These issues, along with the challenges posed by the Covid pandemic and cyberattack, mean that we need to review how we engage, take action to engage (more) residents effectively, and build on work already underway to promote stronger and more cohesive communities on our estates. A clearer strategic framework is needed to achieve these broad aims and support the services wider work to modernise and improve Housing Services.</p>
10	CHE S136 Housing Services Community Flats - Proposals for Change of Use	<p>RESOLVED</p> <p>That the Cabinet:</p> <ol style="list-style-type: none"> I. Approved the decision to revert six community flats that are no longer in use by tenants and residents associations back to council housing, subject to applications for planning consent being successful. II. Agreed that final decisions on the future use of four community flats and a studio flat that are still in use by tenant and resident associations be made on a case by case basis, taking into account feedback from users, the availability and suitability of alternative meeting spaces, the wider housing pressures facing the borough, and the outcome of the planning decision. III. Approved delegation of the final decisions on the future use of those flats still used by

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p align="center">tenants and resident associations be delegated to the Strategic Director of Housing.</p> <p>IV. Agreed that any homes returned through this work will be let in accordance with the Council's Lettings Policy.</p> <p>REASONS FOR DECISION</p> <p>As outlined in the report, there is a significant need to expand the stock of affordable housing in Hackney.</p> <p>The ten council flats and one studio room that were originally built for housing use have been redesignated for community use for many years. Historically the flats were all managed by tenants and residents associations and used for their meetings and office space. However changing patterns of community use means that some flats (6) are no longer in use. Where flats are still used by tenants and residents associations, there are other suitable spaces in nearby community facilities that could potentially be used instead, freeing up all the community flats for council housing (see Appendix 1).</p> <p>With the housing crisis in the borough now leading to an urgent and growing demand for affordable housing, it is critical that we explore all possible options to maximise the range of affordable accommodation, including the potential to revert these increasingly under-used assets back to their intended purpose as homes.</p>
11	CHE S138 Housing Strategy Position Paper 2023	<p>RESOLVED</p> <p>That the Cabinet:</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>I. Agreed the Hackney Housing Strategy Position Paper as set out in Appendix 1 to the report.</p> <p>II. Adopt this temporary position ahead of the formal publication of the new five-year strategy.</p> <p>REASONS FOR DECISION</p> <p>Cabinet approval of the Housing Strategy Position Paper is sought in order to provide the Council and its partners with a vision and a roadmap to guide their housing and related activities until the publication of the new strategy. This is also intended to provide Hackney residents with a clear and accessible summary of the Council’s priorities and approach to meeting the borough’s housing challenges over the coming years.</p> <p>We know that good quality, genuinely affordable housing is still severely lacking and too many people are trapped in overpriced rented accommodation. Home ownership is simply out of reach for the vast majority of residents with the average house price at nineteen times the average household income It is essential to set down a targeted plan of action for the Council and its partners to help meet these challenges and work towards the provision of stable, high quality, safe, and genuinely affordable homes for all Hackney’s residents.</p> <p>The Council and its partners have an excellent track record in the provision of new affordable housing. Despite this, growing demand in London and severe and worsening housing affordability have meant that housing need is rising faster than supply.</p> <p>We still have over 3,000 homeless households in temporary accommodation and over 8,500 on our housing waiting list. There are residents with increasingly complex medical conditions and disabilities, including large</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>multi-generational families caring for each other in the same dwelling. These more complex housing needs put even more strain on the housing register, health services and social care teams and make the need for more housing and more specialist housing even more acute. We are simply unable to continue delivering our key services and duties with our current stock if nothing changes.</p> <p>An overpriced private rented sector is all that remains to those who are unable to access the open housing market, with 2-bed properties in Hackney having seen the fastest rent rise in Britain in the last decade. This sector has constricted further recently, with landlords leaving the lower end of the market and housing supply issues further driving demand for the sector. This means that affordable options to lower and middle income earners in the borough are few and far between and it is simply not a viable option without entering into an often expensive house share, or out of the borough entirely. With nearly a third of all residents in Hackney in the private rented sector, it is essential that we continue our work to protect private renters.</p> <p>This position paper will build upon the existing themes presented in the previous strategy and refocus them into the present context. The priorities of this position paper will be centred around the six key themes below and these themes will continue to be delivered upon through both the work of the council and its partners:</p> <ol style="list-style-type: none"> 1. Delivering the homes that Hackney needs 2. Improving homes, services and resident engagement 3. Protecting private renters and leaseholders 4. Supporting those in health and housing need 5. Promoting employment and sustainable communities 6. Preparing for a greener future <p>Officers have worked to ensure that there is close alignment between the proposed paper and other internal strategies, including the Resident Engagement Strategy, Inclusive Economy</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>Strategy and the Local Plan. The Housing Strategy is also aligned with other housing-related and public health strategies.</p> <p>While the Council is not statutorily required to have a Housing Strategy, if it chooses to have one, the strategy must have regard to Section 333D of the Greater London Authority Act 1999 (as amended in 2007) which requires that any local housing strategy prepared by a borough council must be in 'general conformity' with the Mayor of London's Housing Strategy.</p> <p>A London Housing Strategy was published by the GLA in 2018 setting out the Mayor of London's approach and proposals in key housing policy areas. Hackney officers have an ongoing dialogue with the GLA's housing and planning officers regarding the alignment of housing strategy and policies, as well as planning policies and guidance. This paper, as well as the previous strategy that was published, aligns with these strategies.</p> <p>Adoption of the proposed Housing Strategy position paper does not itself have any direct financial implications. The Strategy contains a list of broad actions for the Council and partners that will provide a clear framework for ensuring that available resources are targeted towards meeting need. It is expected that the vast majority of actions could be delivered within existing or identified budgets.</p>
12	CHE S142 New Council House Building Programme and 1,000 Homes for Social Rent Commitment	<p>RESOLVED</p> <p>That the Cabinet:</p> <ol style="list-style-type: none"> I. Agreed to include the 15 anchor locations set out in the report within a new house building programme, subject to scheme design, viability testing and further resident engagement.

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<ul style="list-style-type: none"> <li data-bbox="835 451 2051 547">II. Agreed to include additional sites and development opportunities in the vicinity of the anchor locations within the programme, subject to scheme design, viability testing and resident engagement. <li data-bbox="835 587 2007 715">III. Agreed to delegate authority to the Capital and Asset Steering Board to include additional sites not in the vicinity of the anchor locations within the programme or a future housing delivery programme, subject to scheme design, viability testing and resident engagement. <li data-bbox="835 754 2040 850">IV. Agreed to delegate authority to the Group Director Finance and Resources, in consultation with the Mayor and relevant Cabinet Leads, to approve the Small Assets Fast Track Policy, the framework as set out at Appendix 1. <li data-bbox="835 890 2007 954">V. Agreed to the commissioning surveys and other investigations for the locations and sites set out in 3.1 to 3.3 of the report. <li data-bbox="835 994 2051 1058">VI. Agreed to commissioning architect design team services for the locations and sites set out in 3.1 to 3.3 of the report. <li data-bbox="835 1098 1984 1161">VII. Agreed to commissioning cost consultancy and employer’s agent services for the locations and sites set out in 3.1 to 3.3 of the report. <li data-bbox="835 1201 2040 1265">VIII. Agreed to commissioning other consultancy services as may be required in relation to the delivery of new homes at the locations and sites set out at 3.1 to 3.3 of the report. <li data-bbox="835 1305 2040 1369">IX. Agreed to submit planning and other applications in respect of the locations and sites set out at 3.1 to 3.3 of the report.

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>X. Agreed a budget cap of £10m for the next steps set out at 3.5 to 3.9 of the report, noting that lead consultants will be commissioned on a stage by stage basis, and programme delivery will be monitored by the Capital and Asset Steering Board.</p> <p>XI. Agreed to request a further report setting out details of the delivery models, funding arrangements and financial assumptions for the new house building programme.</p> <p>XII. Agreed to request a further report providing an update on the other programmes of housing delivery referred to in this report, including the risks and opportunities.</p> <p>XIII. Agreed to authorise the Director of Legal, Democratic and Electoral Services to prepare, agree, settle and sign the necessary legal documentation to effect the proposals contained in this report and to enter into any other ancillary legal documentation as required.</p> <p>XIV. Agreed to authorise the Director of Legal, Democratic and Electoral Services to enter into planning agreements, unilateral undertakings and any other ancillary legal documentation as required to effect the proposals contained in this report.</p> <p>XV. Delegate authority to the Group Director Finance and Resources and the Director of Legal, Democratic and Electoral Services to agree all commercial terms and prepare, agree, settle and sign the necessary legal documentation for sales and purchases authorised following approval of the Small Assets Fast Track Policy.</p> <p>RESOLVED</p> <p>That the Cabinet:</p> <p>I. Agreed to include the 15 anchor locations set out in the report within a new house</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>building programme, subject to scheme design, viability testing and further resident engagement.</p> <p>II. Agreed to include additional sites and development opportunities in the vicinity of the anchor locations within the programme, subject to scheme design, viability testing and resident engagement.</p> <p>III. Agreed to delegate authority to the Capital and Asset Steering Board to include additional sites not in the vicinity of the anchor locations within the programme or a future housing delivery programme, subject to scheme design, viability testing and resident engagement.</p> <p>IV. Agreed to delegate authority to the Group Director Finance and Resources, in consultation with the Mayor and relevant Cabinet Leads, to approve the Small Assets Fast Track Policy, the framework as set out at Appendix 1.</p> <p>V. Agreed to the commissioning surveys and other investigations for the locations and sites set out in 3.1 to 3.3 of the report.</p> <p>VI. Agreed to commissioning architect design team services for the locations and sites set out in 3.1 to 3.3 of the report.</p> <p>VII. Agreed to commissioning cost consultancy and employer’s agent services for the locations and sites set out in 3.1 to 3.3 of the report.</p> <p>VIII. Agreed to commissioning other consultancy services as may be required in relation to the delivery of new homes at the locations and sites set out at 3.1 to 3.3 of the report.</p> <p>IX. Agreed to submit planning and other applications in respect of the locations and sites</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p align="center">set out at 3.1 to 3.3 of the report.</p> <p>REASONS FOR DECISION</p> <p><u>New house building programme</u></p> <p>The Housing Asset Management Strategy 2019-2027 established an asset review process, to undertake a coordinated and comprehensive assessment of investment options for Housing Revenue Account (HRA) land and building assets, considering the longer term performance of the asset base, cost of maintenance, quality of provision, usage and meeting local needs. On 29 April 2019 Cabinet considered a comprehensive update on the delivery of the Council’s regeneration programme (Key Decision No NH P65), including a refreshed development strategy. This report introduced the principle of commencing a new Council house building programme, alongside the existing Estate Regeneration and Housing Supply Programmes. It was anticipated at the time that the development sites for this new programme would be identified predominantly through the asset review process referred to above, formed of underutilised land across the borough, as well as buildings at the end of their lifecycle which are no longer cost effective to maintain.</p> <p>The Asset Review team has, since early 2021, been carrying out the review of HRA land. This has involved mapping more than 1,000 non-dwelling assets, which were then filtered to remove those with limited or no development potential, with the remainder being ordered according to their potential to deliver new homes. A separate process is underway to analyse the condition of the existing stock in preparation for planned investment.</p> <p>The top 70 locations have been reviewed through a two-stage appraisal process. At the first stage, officers identified key constraints, risks and opportunities, and liaised with internal teams including Housing Services and Area Regeneration. During the second stage, core surveys such as trees and underground services were undertaken for each location, further exploring</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>their suitability for the delivery of new housing and other uses. A broader range of internal stakeholders was engaged at this point, including Finance, Legal, Planning, Regeneration Strategic Design and Strategic Property Services. Following both appraisal stages, recommendations from a menu of eight options set out in the Housing Asset Management Strategy were made for each location, in accordance with the governance framework.</p> <p>Through the above process, 15 anchor locations have been identified on HRA land, as shown in Table 1 of the report, which collectively have capacity to deliver around 400 new homes. These are also shown on the location plan at Appendix 2. Following resident consultation carried out during spring and summer 2022 (as detailed in section 6), it is proposed to include all 15 anchor locations within a new Council house building programme. For clarity, no design work has been carried out at this stage, nor have any decisions been made as to the number and type of homes that would be provided at each location. However, the ambition is for 75% of these new Council homes to be for much needed social rent across the programme, as set out in section 6.</p> <p>It is anticipated that, through the design process for the 15 anchor locations and by working closely with residents, further development opportunities may be identified on other land and buildings in the local area. These could include additional infill sites, ‘hidden homes’ such as undercroft conversions or rooftop extensions, and potentially small-scale demolition projects where residents support the proposals. These additional sites will be included within the anchor locations for delivery purposes, as this holistic, area-based approach will result in economies of scale and greater benefits for residents.</p> <p>Further, officers will seek where possible to sequence programmes of planned investment in the existing homes with the timeline for new homes being built at the locations, so that everyone gains from these improvements. This supports the manifesto commitment to set out five-year plans for future estate investment which capture the aspirations of residents to improve where they live.</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>Given that the Council has been building new homes on its land for the past decade, the larger and more readily developable sites within the HRA portfolio have either already been built on or are included in the current Estate Regeneration and Housing Supply Programmes. The average scheme size within this new programme is estimated to be around 30 homes, subject to scheme design, viability testing and further resident engagement. It is proposed to group these locations for the purposes of design and delivery in order to ensure a more consistent and effective approach than with progressing each site on a standalone basis.</p> <p>Beyond these 15 anchor locations, the opportunities for infill development on HRA land become further limited in scale. Such small sites are unlikely to be resource effective to develop on their own. However, some may lend themselves to using replicable designs and Modern Methods of Construction (MMC) to deliver new homes, and it is anticipated that this approach will be piloted through the house building programme set out in this report. Subject to further investigation, a supplementary small sites programme could deliver an additional 100-200 homes across 10-20 sites in future years. It is recommended that the Capital and Asset Steering Board has delegated authority to include additional sites that are not included in the anchor locations within this or a future housing delivery programme, subject to scheme design, viability testing and resident engagement.</p> <p>As well as identifying potential development sites for the Council’s housebuilding pipeline, the Asset Review process has located a number of small, underused Council-owned pieces of land which serve little value to its strategic objectives. Enquiries are regularly received from residents and property owners looking to purchase small areas of unused Council land adjacent to their homes and properties. There is the potential for such unused small plots, where they are confirmed as surplus to the Council’s requirements, to be put to use by new owners while generating an income stream to the Council that could be reinvested in these programmes.</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>To address this opportunity, a Small Assets Fast Track Policy framework has been drafted, as set out at Appendix 1. The purpose of the policy is to define a ‘small asset’ and enable identified sites to be reviewed in a proportionate manner and, where they are deemed surplus to Council requirements, to be made available for purchase in a fair and transparent way, fulfilling the Council’s statutory obligation to meet the best consideration requirements of the Local Government Act 1972. The framework also proposes delegated authority for the acquisition of small assets where this is advantageous to the Council’s strategic objectives and where a budget is available.</p> <p>Delegated authority is sought from Cabinet for the Corporate Director Finance and Resources, following consultation with the Mayor and relevant Cabinet Leads, to approve the final version of Small Assets Fast Track Policy, the framework for which is set out at Appendix 1 of the report.</p> <p><u>Wider approach to housing delivery</u></p> <p>It can be seen from above that the HRA does not at this point have sufficient underutilised land to meet the manifesto commitment for 1,000 new homes for social rent, regardless of the tenure mix, without further large-scale estate renewal plans. However, the Council is already delivering and facilitating the delivery of affordable housing via a number of other programmes, as follows:</p> <ul style="list-style-type: none"> • Pipeline Estate Regeneration and Housing Supply Programme projects, and the Britannia regeneration • Buy-back of former Council homes using Right-to-Buy receipts • New housing association properties delivered through the Mayor of Hackney’s Housing Challenge, also using Right-to-Buy receipts • Town centre regeneration: new homes delivered in mixed use schemes in our town centres, where the Council is the landowner (such as at 55 Morning Lane), or in

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p align="center">partnership with other landowners.</p> <p>A position statement for each of these programmes is set out in Appendix 3. In summary, this portfolio approach will see around 1,000 additional homes for social rent brought on stream by 2026 (see Table 2 of the report), with some headroom to accommodate potential changes to programme delivery based on current projections. It should be noted that, where projects are delivered by partners such as housing associations, the Council will have nomination rights to the social rent homes.</p> <p>The delivery of all these homes and programmes will be monitored by the Capital and Asset Steering Board. Given the scale of the opportunities, but also the delivery risks in the current economic climate, it is recommended that Cabinet requests a further report providing an update on the other housing programmes referred to in Appendix 3.</p>
13	CHE S153 Flood Risk Management Plan Measures 2021-2027	<p>RESOLVED</p> <p>That the Cabinet: Approve the Flood Risk Management Plan Cycle 2 measures.</p> <p>REASON FOR DECISION</p> <p>Approval of the Flood Risk Management Plan Cycle 2 measures would allow the Lead Local Flood Authorities to set out flood related priorities within the Borough in the next six years.</p>
14	CHE S158 Marian Court - Appropriation of Land for Planning Purposes	<p>RESOLVED</p> <p>That the Cabinet:</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>I. Agreed that the land at Marian Court, shown edged red on the plan at Appendix 1, which is currently held for housing purposes under the Housing Revenue Account (HRA), is no longer required for those purposes.</p> <p>II. Agreed to the appropriation of the land set out at 3.1 for planning purposes to facilitate the carrying out of the development pursuant to section 122(1) of the Local Government Act 1972.</p> <p>III. Agreed that following completion of the development proposals at 3.2 the land shown edged red on the plan at Appendix 1 will no longer be required for planning purposes and approve the appropriation of the land to housing purposes to be transferred to and administered from the Housing Revenue Account and in accordance with section 9 of the Housing Act 1985 and section 122(1) of the Local Government Act 1972.</p> <p>IV. Agreed to authorise the Group Director Climate, Homes and Economy and the Director of Legal, Democratic and Electoral Services to deal with all necessary arrangements to effect the appropriation set out in this report.</p> <p>REASONS FOR DECISION</p> <p>Appropriation of land for planning purposes under section 122 of the Local Government Act 1972 ('the 1972 Act') provides the Council with a mechanism for helping minimise the delay or uncertainty associated with regeneration projects by ensuring that the proposed developments cannot be held up by injunctions in support of third party rights.</p> <p>In order to de-risk the development of the mixed tenure scheme at Marian Court, the appropriation of the land shown within the red line at Appendix 1 is required.</p> <p>The land at Marian Court, as shown in Appendix 1, is currently housing land administered</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>under the Housing Revenue Account (HRA). Following appropriation for planning purposes, the land will be transferred to, and administered from, the General Fund account. Once the development has been completed, the land will be appropriated as housing land and transferred back to the HRA.</p> <p>Subsequent to the transfer back to the HRA the Council will lose the benefits of the appropriation for planning purposes. The Council will not, however, lose the protection over whatever was built while the land was appropriated for planning purposes, and as such the newly built development would not be subject to an injunction (i.e. third parties whose rights have been injured as a result of the development will not be able to halt the development). The affected parties may, however, be able to seek compensation. Exempt Appendix 2 provides further background information.</p> <p>The demolition of the last remaining block at Marian Court is due to complete in December 2022, with the last of the foundations being removed in January 2023. The site will have no residential properties remaining as of the date of the Cabinet Meeting and, therefore, consent of the Secretary of State (by virtue of section 19 of the Housing Act 1985) is not required.</p>
15	CHE S159 Frampton Park: Appropriation Of Land For Planning Purposes	<p>RESOLVED</p> <p>That the Cabinet:</p> <ol style="list-style-type: none"> I. To agree that the land at Frampton Park, shown edged red on the plan in Appendix 1, which is currently held for housing purposes under the Housing Revenue Account (HRA), is no longer required for those purposes. II. To approve the appropriation of the land set out at 3.1 for planning purposes to facilitate the carrying out of the development proposals under section 122(1) of the Local Government Act 1972.

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>III. To agree that following completion of the development proposals at paragraph 3.2 the land shown edged red on the plan at Appendix 1 will no longer be required for planning purposes and approve the appropriation of the land for housing purposes to be transferred to and administered from the Housing Revenue Account and in accordance with section 9 of the Housing Act 1985 and section 122(1) of the Local Government Act 1972.</p> <p>IV. To authorise the Group Director, Climate Homes and Economy and the Director of Legal, Democratic and Electoral Services to deal with all necessary arrangements to effect the appropriation set out in this report.</p> <p>REASONS FOR DECISION</p> <p>Appropriation of land for planning purposes under section 122 of the Local Government Act 1972 ('the 1972 Act') provides the Council with a mechanism for helping minimise the delay or uncertainty associated with regeneration projects by ensuring that the proposed developments cannot be held up by injunctions in support of third party rights.</p> <p>In order to de-risk the development of the mixed tenure scheme at Frampton Park, the appropriation of the land shown within the red line at Appendix 1 is required.</p> <p>The land at Frampton Park, as shown in Appendix 1, for which authority to appropriate is being sought, is currently housing land administered under the Housing Revenue Account (HRA). The land following appropriation will be transferred to and administered from the General Fund Account. Once the development has been completed, the land will be appropriated as housing land and transferred back to the HRA.</p> <p>Subsequent to the transfer back to the HRA the Council will lose the benefits of the appropriation for planning purposes. The Council will not, however, lose the protection over</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>whatever was built while the land was appropriated for planning purposes, and as such the newly built development would not be subject to an injunction (i.e. third parties whose rights have been injured as a result of the development will not be able to halt the development). The affected parties may, however, be able to seek compensation. Exempt Appendix 2 provides further background information.</p>
16	<p>CHE S160 De Beauvoir Estate Phase 1, Appropriation Of Land For Planning Purposes</p>	<p>RESOLVED</p> <p>That the Cabinet:</p> <ul style="list-style-type: none"> I. Agreed that the land at Downham Road West, 81 Downham Road/TRA, Downham Road East, Hertford Road and Balmes Road, shown edged red on the plan at Appendix 1, which is currently held for housing purposes under the Housing Revenue Account (HRA), is no longer required for those purposes. II. Approved the appropriation of the land set out at 3.1 for planning purposes to facilitate the carrying out of the development pursuant to section 122(1) of the Local Government Act 1972. III. Agreed that following completion of the development proposals at 3.2 the land shown edged red on the plan at Appendix 1 will no longer be required for planning purposes and approve the appropriation of the land for housing purposes to be transferred to and administered from the Housing Revenue Account and in accordance with section 9 of the Housing Act 1985 and section 122(1) of the Local Government Act 1972. IV. To authorise the Group Director Climate, Homes and Economy and the Director of Legal, Democratic and Electoral Services to deal with all necessary arrangements to effect the appropriation set out in this report.

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		<p>REASONS FOR DECISION</p> <p>Appropriation of land for planning purposes under section 122 of the Local Government Act 1972 ('the 1972 Act') provides the Council with a mechanism for helping minimise the delay or uncertainty associated with regeneration projects by ensuring that the proposed developments cannot be held up by injunctions in support of third party rights.</p> <p>In order to de-risk the development of the mixed tenure/use scheme at De Beauvoir Phase 1, the appropriation of the land shown within the red line at Appendix 1 is required.</p> <p>The land at Downham Road West, 81 Downham Road/TRA, Downham Road East, Hertford Road and Balmes Road, as shown in Appendix 1, for which authority to appropriate is being sought, is currently housing land administered under the Housing Revenue Account (HRA). Once the development has been completed, the land will be appropriated as housing land and transferred back to the HRA.</p> <p>The land at Downham Road West shown on the Plan at Appendix 2, is currently open space land, as such it is subject to a change of use for mixed tenure housing. Notice of the intended appropriation for planning purposes and future disposals has been advertised in the Hackney Gazette on 22 and 29 September 2022.</p> <p>Cabinet is requested to formally record that no objections have been received to the proposed appropriation of the land at Downham Road West shown on the Plan at Appendix 2. Once the development has been completed, the land will be appropriated as land and transferred back to the HRA.</p> <p>Subsequent to the transfer back to the HRA, the Council will lose the benefits of the appropriation for planning purposes. The Council will not, however, lose the protection over whatever was built while the land was appropriated for planning purposes, and as such the</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 12 December 2022

Agenda Item No	Topic	Decision
		newly built development would not be subject to an injunction (i.e. third parties whose rights have been injured as a result of the development will not be able to halt the development). The affected parties may, however, be able to seek compensation. Exempt Appendix 3 provides further background information.
17	Non Key Decision - Gender And Ethnicity Pay Gap 2022	<p>RESOLVED</p> <p>That the Cabinet:</p> <p>Note the Gender and Ethnicity Pay Gap report 2022.</p>
18	Appointment of Local Authority Governors - Haggerston School Governor Report	<p>RESOLVED</p> <p>That the Cabinet:</p> <p>Approved the following nominations as set out below:</p> <p>Governing Body: Haggerston School</p> <p>Name: Mr Matt Wojtyniak</p> <p>Date Effective: 12/12/2022</p>
19	New items of Unrestricted Urgent Business	There were none.
25	New Items of Exempt Urgent Business	There were none.