



London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

This document outlines the decisions taken by Cabinet on Monday, 27 March 2023.

Decisions listed below that are Key Decisions will come into force and may then be implemented on the expiry of 5 clear working days unless called-in by at least 5 non-executive members in writing and submitted to the Monitoring Officer.

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Agenda Item No	Topic	Decision
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Part A – Items considered in public

9	FCR S100 Capital Update and Property Disposals And Acquisitions Report	RESOLVED: 1. That the scheme for Children and Education as set out in section 11 be given approval as follows: Education Sufficiency and Estate Strategy SEND Expansion Phase1b: Resource and spend approval of £4,165k (£1,778k in 2023/24, £2,125k in 2024/25 and £262k in 2025/26) is requested for the next phase of the SEND expansion of special schools across the borough. 2. That the scheme for Climate, Homes & Economy as set out in section 11 be given approval as follows: Connecting Green Spaces - Ufton Gardens: Resource and spend approval of £50k in 2022/23 is requested to deliver a road closure between Ufton Gardens.
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London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
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		<p>3. That the s106 scheme summarised below and set out in section 11 be approved:</p> <table border="1" data-bbox="1010 517 1727 667"> <thead> <tr> <th data-bbox="1010 517 1536 592">S106</th> <th data-bbox="1536 517 1727 592">2023/24 £'000</th> </tr> </thead> <tbody> <tr> <td data-bbox="1010 592 1536 632">Capital</td> <td data-bbox="1536 592 1727 632">233</td> </tr> <tr> <td data-bbox="1010 632 1536 667">Total Capital S106 for Approval</td> <td data-bbox="1536 632 1727 667">233</td> </tr> </tbody> </table> <p>4. To deem the former schoolkeeper houses at Queensbridge and Shoreditch Park schools as surplus to Council’s operational requirements and to be disposed of.</p> <p>5. To authorise the sale of the freehold of the former School Keepers' houses at Queensbridge Primary School, Albion Drive, E8 4ET and Shoreditch Park Primary School, Grange Street is shown edged in red for information purposes only on the plans in Appendix 1 and 2.</p> <p>6. To include restrictive covenants in the transfer of the freeholds to ensure there is no overlooking into the school sites from the houses</p> <p>7. To fund costs to physically separate the former houses from the school sites and other eligible costs associated with the disposals to be offset against the receipt and to fund any costs associated with gaining residential planning permission if required.</p> <p>8. To recognise the available funds from the sale of the former houses from school sites as earmarked for delivery of the Council’s 2030 Net Zero Carbon Schools Programme.</p> <p>REASONS FOR DECISION</p>	S106	2023/24 £'000	Capital	233	Total Capital S106 for Approval	233
S106	2023/24 £'000							
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London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>1 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>2. 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>3. To facilitate financial management and control of the Council's finances.</p>
10	FCR S101 2021/22 Overall Financial Position Report - January 2023	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. To approve the increase in the price of hostel service charges from £6 per week to £9 per week, with effect from May 2023. 2. To note the overall financial position of the Council as at January 2023 as set out in this report. 3. Approve the acceptance of the grant of £12,256,958 from the Department for Business, Energy & Industrial Strategy's Public Sector Decarbonisation Scheme (PSDS) managed by Salix Finance to support decarbonisation of a portfolio of Corporate properties and agree to enter into a grant agreement and associated documents with the applicable parties in respect of such funding. <p>REASONS FOR DECISION</p> <p>To facilitate financial management and control of the Council's finances and to approve a proposal to increase hostel service charges.</p>
11	CHE S179 Motorcycles parking permit	RESOLVED

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
	review - Cabinet Referral	<p>1. That motorcycles and other Powered Two Wheelers will be required to hold a valid permit to park in any permit holder bays, and will be governed by the same rules and pricing structure as other vehicle types (such as cars and vans), with the following exceptions:</p> <p>1.1 On-street residents - will be able to apply for one resident motorcycle permit per person, irrespective of whether or not they already hold a resident parking permit for another vehicle.</p> <p>1.2 Estate residents - will be able to apply for one estate resident motorcycle permit per household, irrespective of whether or not they already hold an estate resident parking permit for another vehicle, subject to there being sufficient parking capacity on the estate. Estate residents will also have the option to apply for on-street resident permits.</p> <p>1.3 Businesses - will be able to apply for up to five business motorcycle permits per business premise, irrespective of whether or not they already hold business parking permits for other vehicles.</p> <p>2. That visiting motorcycles will be required to obtain an e-voucher to park in any permit holder bay at current visitor parking permit prices.</p> <p>3. That existing solo motorcycle bays will be converted into permit bays, shared use, or pay and display bays for short stay parking, with fees based on the same charging structure as pay and display prices for other vehicles, as set out in section 4.3.50 to 4.3.68.</p> <p>4. That, on request from residents and businesses, permits, shared use or pay and display lockable solo motorcycle bays will be installed (where feasible) on a case by case basis.</p> <p>REASON FOR DECISION</p> <p>1.Rationale for the proposed changes</p> <p>1.1. In February 2019, Hackney Council declared a climate emergency. The borough is</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>committed to doing everything it can to limit further global warming to less than 1.5 degrees Celsius, as set out in the UN IPCC report of October 2018. By 2030, the commitment is to reduce emissions by 45% against 2010 levels, and by 2040, the Council aims to achieve net-zero emissions.</p> <p>1.2. Since 2016, transport has been the largest emitting sector in the UK, and in 2020 was responsible for 24% of all UK greenhouse gas emissions. While significant progress has been made nationally in decarbonising some sectors, such as energy in recent decades, greenhouse gas emissions from transport have remained relatively static.</p> <p>1.3. Hackney Council is committed to demonstrating that a rapid transition to a low-carbon economy is possible at a local level. Parking Services, through its Parking and Enforcement Plan 2022-27, supports the delivery of these commitments by introducing policies that encourage more sustainable transport choices by residents and to support the Council's wider initiatives to achieve its net-zero emission goal. This includes the introduction of policies that encourage alternative modes of transport such as walking, cycling, and public transport over the use of private PTWs and vehicles. Furthermore, through emissions based charging, Parking Services are facilitating a reduction of vehicle emissions which all forms of road transport, including motorcycles, contribute to.</p> <p>1.4. In addition to contributing to climate change, private transport powered by internal combustion engines produce oxides of nitrogen (NOx), and particulate matter (PM). These emissions have impacts on local air quality, as NOx readily converts into nitrogen dioxide (NO2) in the atmosphere, which is known to have detrimental health effects. Particulate matter (PM) are small airborne particles that can enter deep into the body's airways and are linked with a range of health issues including certain cancers. The amount of emissions will vary depending on the Euro standard of the vehicle but, in general, older and diesel vehicles are bigger polluters.</p> <p>1.5. The updated Air Quality Action Plan (AQAP) sets out the Council's ten key priorities to tackle air pollution across the borough through local drivers within our control; the objectives set out in the PEP 2022-27 support the delivery of these priorities.</p> <p>1.6. While the evidence makes clear that private transport contributes to climate change and</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>poor air quality, motorcycles, scooters and other forms of PTWs have historically been able to park for free across the borough, with the exception of pay and display bays in parking zone B. This meant that as a borough, Hackney has not been able to incentivise riders to opt for the greenest possible form of transportation.</p> <p>1.7. In order to address this, permission to consult on a PEP recommendation to introduce motorcycle parking permits was granted by Cabinet in December 2019. In Spring 2020 the Council consulted on changes to motorcycle parking in Hackney. The consultation initially ran for 12 weeks from 24 February to 18 May and was extended by 12 more weeks to 10 August 2020. The Cabinet report was subsequently approved in February 2021.</p> <p>1.8. Since February 2021, the Council has continued to listen to feedback, particularly from motorcycling campaign groups, and as a result of ongoing discussions changes have been proposed to how we manage visitor parking.</p> <p>1.9. It is important to highlight that the motorcycle consultation was not a referendum, but an important tool in understanding how the proposals would impact motorcyclists, residents, businesses and visitors to the borough, and how best to mitigate them. Subject to approval of the recommendations set out within this report, a statutory 21 day consultation will be conducted following the advertisement of the Traffic Management Order, which will provide a further opportunity for input from stakeholders.</p> <p>2. Consultation approach</p> <p>2.1. The public consultation on changes to motorcycle parking in Hackney ran from 24 February to 18 May 2020 and was extended by 12 more weeks to 10 August 2020 due to the coronavirus pandemic. All permit holders were sent an email invitation to participate in the consultation online, and postal applicants were sent a consultation pack in the post.</p> <p>2.2. In order to engage with the public in a substantive and meaningful way, a mixture of internal and external drop-in sessions were held in public spaces and via online platforms. Social media campaigns were executed, advertisements were placed in local newspapers, printed and put up around council buildings. Posters were also attached to lamp posts next to motorcycle bays and around town centres. A total of 4,333 responses were received. Please</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>refer to appendix 1 for the communications and engagement results report and appendix 1a for the addendum report.</p> <p>2.3. Following the consultation and approval of plans to introduce motorcycle parking in Hackney, the Council has continued to listen to feedback and made some amendments. For full details of the information received please refer to Appendix 1 for the Communications and Engagement Results Report and Appendix 1a for the Addendum Report.</p> <p>2.4. Based on 6,317 multiple choice responses, the main groups of people who responded to the consultation were residents who live in on-street properties (40%), commuters (16%) and visitors to the borough (15%). The service monitoring question was included, as it was important that we reached and understood the impact of the proposals on motorcyclists that live, work, commute and visit the borough - see table 1, service monitoring breakdown.</p>
12	CHE S161 Reduction & Recycling Plan	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. To approve Hackney’s Reduction and Recycling Plan (RRP) for the period 2023-2025 as set out in Appendix 1 and Appendix 2, ensuring Hackney is working towards general conformity with the Mayor of London’s Environment Strategy. 2. To delegate authority to the Strategic Director, Sustainability and Public Realm, in consultation with the Lead Member, to update the RRP to take into account any potential further feedback from the Greater London Authority. <p>REASON FOR DECISION</p> <ol style="list-style-type: none"> 1. All London boroughs are required to submit a Reduction and Recycling Plan (RRP) to the GLA setting out targets and actions for a two year period to demonstrate how they will make a contribution to the London-wide Strategy targets. This is Hackney’s second RRP and it continues to build upon actions outlined in our first RRP from 2018-2022. This RRP is for the period 2023-2025 and it contains two parts. 2. Part one of the RRP outlines Hackney’s existing actions and new planned work to deliver on our locally set targets, as well as how we are contributing to London wide targets as set out in

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>the London Environment Strategy (LES). Hackney’s RRP actions include:</p> <ul style="list-style-type: none"> • 10 actions to reduce waste and increase materials reuse (LES Objective 7.1); • 18 actions to maximise recycling performance (LES Objective 7.2); • 3 actions to reduce the environmental impacts (such as greenhouse gas emissions and air pollutants) - of waste activities (LES Objective 7.3); • 2 actions to maximise use of local waste sites (LES Objective 7.4). <p>3. The second part of the RRP captures plans and activities that boroughs are implementing to prepare for the service changes required under the Resource & Waste Strategy (RWS), including collections for food waste and key dry recyclables, and separate containers for dry recycling streams in both households and commercial properties. It also includes a requirement to understand the implications of the Extended Producer Responsibility (EPR) scheme and Deposit Return Scheme (DRS). It should be noted that none of the above has been confirmed or brought into legislation.</p> <p>4. Cabinet’s approval of the RRP is sought so that the Council’s RRP can formally be submitted to the GLA and signed off by the Mayor of London.</p>
13	CE S146 Hackney Young Futures Commission Report	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That Cabinet adopts the Hackney Young Futures Commission Report. 2. That Cabinet endorses the Council to make appropriate changes to ensure that how the Asks are met reflects the current needs expressed by children and young people. 3. That Cabinet supports the Council to work on the legacy of Young Futures to permanently embed children and young people’s voices in policy making and decision making processes. <p>REASONS FOR DECISION</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>1. The Young Futures Commission was born out of a pledge in the Hackney’s Mayor’s Manifesto in 2018 aimed at maximising the voice of young people in the decisions that shape their lives and ensure they can actively shape the opportunities available to them. It was set up in February 2019 as a commission independent of the Council led by young people (but organised, funded by and accountable to the Council), with the ambition to reach out to young people across Hackney and give them a space in which their voices could be heard. The Commission was made up of young people, people who represent the community, academic partners, experts and councillors.</p> <p>2. The Valuing the Future Through Young Voices report was published in November 2020. It urged the Council to listen to, learn about, and commit to act on the real experiences and aspirations of children and young people growing up in Hackney. The report stressed how important it is for Council’s services to commit to putting children and young people’s voices at the forefront of planning, engagement, responses and decision-making.</p> <p>3. The Commission’s report has been endorsed by the Council and Cabinet, and work has begun to deliver on its Asks. However, it was not taken through a formal decision process when first published. This paper formalises the Council’s commitment to delivering upon the Commission’s findings relevant to the whole of the borough.</p> <p>4. Emerging themes resulted from the Commission’s engagement exercises were grouped in the report into six themes: a Bright Future (Education, Training and Employment); a Secure Future (Housing and Advice); an Active Future (Spaces, Places and Activities); an Inclusive Future (Inclusive economy and Regeneration); a Safe Future (Crime and Safety); a Healthy Future (Health and Well-Being).</p> <p>5. Within the six themes, 19 Asks were formulated to the Council, which formed the basis of detailed proposed solutions. The Asks arose during the second phase of the Commission’s work during which young people led workshops between representatives from local organisations, council services and Cabinet Leads. The Asks are more generic requests that the Council was asked to endorse and commit to:</p> <ol style="list-style-type: none"> 1. Reduce the Number of Rough Sleepers in the Borough. 2. Improve the Quality of Social Housing and the local area.

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>3. Increase Access to Housing and Advice Services.</p> <p>4. Review Young People’s Mental Health Services.</p> <p>5. Review Foster Care Placements.</p> <p>6. Increase access opportunities to places, spaces and activities.</p> <p>7. Include Young People in the Regeneration of the Borough.</p> <p>8. Promote Intergenerational Dialogue.</p> <p>9. Support Young People and the Night Time Economy.</p> <p>10. Improve Communication to Young People.</p> <p>11. Reduce Serious Youth Violence and other forms of crime.</p> <p>12. Reduce the impact of the Fear of Crime on Young People.</p> <p>13. Improve the Relationships between Young People and the Police.</p> <p>14. Increase Access to Employment Opportunities.</p> <p>15. Provide Educational Support.</p> <p>16. Improve the Quality and Consistency of Alternative Provisions for Excluded Young People.</p> <p>17. Reduce the inequality in Educational Attainment and Number of School Exclusions.</p> <p>18. Amplify and Include Student voices in Decision making.</p> <p>19. Develop Young People’s Skills for Adulthood and Life.</p> <p>6. The report also outlines 73 Recommendations, or ‘Hows’, which suggests activities or actions that meet the spirit of the Asks for the overarching aim of embedding young people’s voices in decision making processes. An easy read summary of the Themes, Asks and Recommendations can be found here.</p> <p>7. Overall, the work of the Commission highlighted the changes the Council needs to invest on to address its style of engagement and response to issues as generally perceived by young people. The Commission reported how young people perceive that:</p> <ul style="list-style-type: none"> - There is a disconnect between what the Council says its is doing and the lived experience of young people; - There is culture of defensiveness from the Council when ideas or services are challenged

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>or alternatives are presented;</p> <ul style="list-style-type: none"> - That despite a stated desire to change, there is an underlying unwillingness to commit to real change. <p>8. The Commission laid out what the Council needs to do after the publication of the report:</p> <ul style="list-style-type: none"> - Hackney Council and its Partners to reflect on the findings and accept the “Asks” made by the Commission; - Hackney Council, together with the Commission, provide feedback to young people in the borough about how the Council and its Partners are going to respond to this report in a timely way; - Hackney Council to identify how they will continue to engage and involve young people in decision-making in the future, post-Commission. <p>9. Mayor Glanville, Cabinet and the Council have committed to take time to absorb the feedback from children and young people through the Commission, consider the recommendations and identify the legacy of the Young Futures Commission as a way to permanently put the voices of young people at the heart of decision making and policy making in Hackney. The 2022-2026 Hackney Labour Manifesto commits to delivering the recommendations of the Young Futures Commission, to publish a report on the Council’s progress and to revisit the Commission in 2025 to explore its impact and what young people wish to happen next.</p> <p>10. Hackney Young Future is now in its implementation phase with the overall aim of changing the way the Council works with and for young people in Hackney. Hackney Young Futures’ delivery plan outlines the system changes that will need to be put in place to systematically embed children and young people’s voices in decision making and policy making in Hackney.</p> <p>11. There are a number of related programmes of work that are led or supported by the Policy and Strategic Delivery including:</p> <ul style="list-style-type: none"> - Development of a Children and Young People Partnership Plan (led by Children and Families, supported by Policy and Strategic Delivery). - Reducing Harm and Trust and Confidence in Policing.

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<ul style="list-style-type: none"> - Improving Outcome for Young Black Men programme. - Inclusive Leadership and Workforce Diversity. - Anti-racism Action Plan 2022-2026. <p>To ensure that synergies and connections are made, resources have been identified in officers' capacity to lead on the delivery of the Asks and Recommendations. The key officers are:</p> <ul style="list-style-type: none"> - Strategic Lead for Policy and leads on most of the work outlined above will take overall lead responsibility; - Strategic Delivery officer supporting the management trainee on delivery and day to day development of the legacy mode; - Management Trainee role dedicated to the implementation of Hackney Young Futures. <p>As well as Council's officers, the Hackney Young Futures implementation phase recruited a group of young people employed by the Council as Hackney Young Futures Legacy Representatives to:</p> <ul style="list-style-type: none"> - Support the implementation phase of work to ensure that it continues to be steered by young people; - Meet regularly as a group and with the management Trainee for reflective sessions where they share progress and learning; - Act in an advisory capacity to Services, helping them to ensure that the voices and viewpoints of young people are considered in their service planning and delivery; - Act as a link between Council services and other groups of young people across the borough (they have all been recruited from existing groups); - Use the Young Futures communications channels effectively to reach young people and update them on the progress of the delivery of the Asks and any opportunities to get involved. <p>The Hackney Young Futures Legacy Representatives are recruited from young people's</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>groups and organisations and are aged between 17 and 25 years old.</p> <p>12. The Governance of the Hackney Young Futures implementation phase has a clear cycle of regular reporting to an Oversight Group chaired by Jacquie Burke, Corporate Leadership Team and Cabinet Oversight. In the interim, it also provided a space for the planning of Hackney’s Children and Young People Partnership Plan.</p> <p>13. The implementation phase started in January 2021 with a mapping exercise to understand how Council services were embracing and actioning the Asks and Recommendations relevant to them. The HYF Legacy Representatives who were also recruited to support the implementation phase worked as an advisory board to services on how to best embed young people’s voices. The group agreed on prioritising working on recommendations related to education, mental health services, housing and improving the relationship between the police and young people.</p> <p>14. From the first year of implementation of Hackney Young Futures, the Council has made good progress in progressing on the Asks and Recommendations. Fifty of the seventy-three recommendations have been marked as business as usual and in progress, meaning that either the recommendation is now part of regular Council’s services or is in good progress. Fourteen recommendations have been marked as achievable, where services have indicated that they are able to action them but have not yet had the opportunity to do so. Finally, eight recommendations have been marked as lacking clarity or not achievable directly by the Council: four of these require additionally funding and the Council is looking at what else could be done in the spirit of the Ask within current resources; one is unclear and will require further engagement with children and young people; three will be advanced through the existing work with the Police and rely on decision made by the Central Metropolitan Police Service.</p>
14	CHE S166 Markets & Street Trading Strategy 2023/28	<p>RESOLVED to:</p> <ol style="list-style-type: none"> 1. Approve the Market Strategy 2023-2028 and the recommendations contained within (as set out in Appendix 1) for public consultation. 2. Delegate authority to the Director, Public Realm, in consultation with the lead

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p align="center">Cabinet member for Community Safety and Regulatory Services, to approve any amendments to the Market Strategy 2023-2028 following Consultation feedback.</p> <p>3. Delegate authority to the Director, Public Realm to approve the final version of the Market Strategy 2023-2028 for implementation.</p> <p>REASONS FOR DECISION</p> <p>1. The last Markets Strategy (2017-2020) focused on the financial sustainability of individual markets by promoting and increasing awareness of all locations to grow and retain occupancy rates. The Strategy was approved with a budget of £1.4m to deliver actions that mainly focused on getting the markets to be self-sustainable, as the Service was running at a deficit for many years. The successful delivery of this Strategy saw the service achieve a break-even financial position consistently, but also saw the market portfolio and commercial opportunity grow exponentially, which contributed to driving local employment within Hackney.</p> <p>2. The new and proposed Markets Strategy for 2023-2028 was carefully curated through extensive surveys, engagement and research to identify the needs and aspirations of the community consisting of members of the public and Hackney market traders. The Strategy will concentrate on maintaining and developing what has been achieved by exploring new opportunities to increase the market and street trading locations, reviewing additional operating days, and introducing new licenses to encourage regeneration and local employment within the Borough.</p> <p>3. The Strategy will follow an Action Plan to ensure the Service takes specific measures to reduce the number of illegal trading activities by educating those who want to work and assisting them in obtaining the necessary licence(s), thereby encouraging all licenced businesses and traders to maximise their income opportunities. It will also support our traders by providing them with necessary entrepreneurial skills training, mental health support and an opportunity to expand their business in different street trading locations/ types of markets.</p> <p>4. The service was able to use the approved budget to deliver the Markets Strategy 2017-2020 that made a major impact on local employment, but was unable to reach its full potential due to</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>lack of resources and financial constraints. The new Strategy aims to exceed the proven achievements but to also secure the long term sustainability of the markets by supporting several of the mayor’s manifesto commitments and by activating other locations within the borough for commercial use:</p> <ul style="list-style-type: none"> • We will develop a Hackney Nights Strategy to provide clarity to residents and businesses on our approach, including supporting growth while tackling antisocial behaviour and crime in partnership with the police. • We will build community wealth and create opportunities where residents are the first to benefit as the local economy recovers and reopens - ensuring more of the jobs, opportunities, growth and money spent in Hackney stays in Hackney. • We will ensure that goods and services are procured locally and sustainably, securing good jobs and opportunities for local people. We will also link this with our ambition to create green jobs for Hackney residents, and we will refresh the Council’s Sustainable Procurement Strategy to include principles such as an end to Fire and Rehire, promotion of the London Living Wage, a focus on tackling climate change and enabling local people to access future net zero jobs. • We will work to expand the Chatsworth Road street market. • [We will] explore with local businesses and residents a new street market for Stoke Newington Church Street. • [We will] continue to explore and grow new smaller street trading areas around Hackney. • We will ensure the street markets at Ridley Road, Hoxton Street and Broadway Market are supported, working alongside local high street businesses to keep our local economy alive and thriving. • We will celebrate and promote all of our street markets so more of us shop at them, and ensure they remain London’s most vibrant and popular destinations. • We will celebrate and promote all of our street markets so more of us shop at them, and ensure they remain London’s most vibrant and popular destinations.

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<ul style="list-style-type: none"> • We will invest in the welfare and wellbeing of Hackney’s market traders with quality trading and storage facilities, offering training and help to traders, and work to ensure trader associations are supported and resourced. • We will bring forward a single council approach to enabling community regeneration in Hackney. Across the boroughs estates, neighbourhoods, high streets and town centres all will focus on delivering places that can support good growth that includes the new homes, workspaces, cultural and social spaces that a growing borough needs. An approach that will require all our public services to combine resources and focus on ‘the quality of place’ delivering quality public services - from social services to Streetscene, Planning to Finance, Street Markets to Housing Services and schools - all have their contribution to making a sustainable Hackney.
15	FCR S151 LBH Britannia Phase 2b Residential Design & Build Contract Award (Part Exempt)	<p>RESOLVED:</p> <p>1. Design and Build Contract Award.</p> <p>1.1 Note the completion of a single stage procurement in relation to the selection of a Design and Build contractor for Phase 2b of the Britannia project (residential).</p> <p>1.2 Approve the award of a JCT Design and Build contract to Supplier A as set out in Exempt Appendix 1.</p> <p>1.3 Authorise the Director of Legal, Democratic and Electoral Services to agree and enter in to all necessary legal and ancillary documentation relating to the Design and Build contract for Britannia Phase 2b (residential), including all necessary consents required to enable the development.</p> <p>2 Appropriation.</p> <p>2.1 To agree that the land at the site of the Old Britannia Leisure Centre, shown edged purple on the plan at Appendix 2, which is currently held for leisure purposes under the General Fund, is no longer required for those purposes.</p> <p>2.2 To approve the appropriation of the land set out at within the Phase 2b development boundary (edged purple) for planning purposes to facilitate the</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>carrying out of the development pursuant to section 122(1) of the Local Government Act 1972.</p> <p>2.3 To agree that following completion of the development proposals within the Phase 2b development boundary (edged purple) the land shown hatched pink/buff on the plan at Appendix 2 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>2.4 To agree that following completion of the development proposals within the Phase 2b development boundary (edged purple) the remainder of the land within the purple Phase 2b development boundary on the plan at Appendix 2 will no longer be required for planning purposes and approve the appropriation of the land for general purposes to be administered from the General Fund Account and in accordance with section 122(1) of the Local Government Act 1972.</p> <p>2.5 To authorise the Group Director Climate, Homes and Economy, Group Director of Finance and Resources 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>REASON FOR DECISION</p> <p>1. Design and Build Contract Award. Following approval to the procurement business case by Cabinet in March 2022, the Hackney Britannia Project proceeded to a Contract Notice for a Design and Build Contractor via the Find a Tender Service (FTS) on 21 June 2022. This single stage procurement was carried out using the Competitive Procedure with Negotiation (CPN) provided for within the Public Contract Regulations 2015.</p> <p>2. Following the issue of the PAS91 Selection Questionnaire, and draft Invitation to Participate (ITP) documents, five suppliers returned a Selection Questionnaire and four were subsequently</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

Agenda Item No	Topic	Decision
		<p>invited to participate in a single stage tender process. Initial Tenders were then received from two suppliers on 9 November 2022, following the early withdrawal of two suppliers within the first couple of weeks of the ITP phase. Following review of these Initial Tenders, the Council elected to negotiate on two of the four nominated negotiation areas, and proceeded to receive Final Tenders from both suppliers on 7 February 2023. Following the evaluation of these Final Tenders, this report summarises the outcome of that process and recommends Supplier A be confirmed as recommended supplier, with a total score of 79.24% compared to Supplier D at 57.22%.</p> <p>3. The recommendation of this Contract Award enables the Britannia masterplan project to proceed to the delivery phase of the housing project, and in turn proceed to implement the Sales and Marketing Strategy to support the self delivery model of development, and maximise cross subsidy delivered through the sale of the homes for outright sale both domestically and internationally.</p> <p>4. Given emerging developments in relation to Fire Safety, and the Government’s ongoing consultation in relation to the potential requirement for all new buildings over 30m to provide a second staircase, the project has considered the impact of adopting this position ahead of any potential legislative changes. Whilst the project already has detailed planning permission for the scheme, and has submitted Full Plans, it has been agreed that the adoption of a second staircase on the three of the four Britannia blocks which are 30m or above is the most prudent approach going forward to protect delivery of the project’s objectives. For this reason, this report recommends entering into a contract with Supplier A which will enable the Council to work in collaboration with our recommended supplier to implement these design changes prior to submitting for relevant pre-start on site approvals.</p> <p>5. Following a feasibility study by the client design team on the impact of adding a second staircase to three of the four buildings, an updated financial model has been run and the summary position is presented at Exempt Appendix 1. The financial implications are considered and set out further in paragraph 6, including the alternate options which have been considered should the Council decide not to proceed with the housing delivery phase of the masterplan.</p>

London Borough of Hackney – Decisions taken by the Cabinet on Monday 27 March 2023

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		<p>6. Appropriation. 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>7. In order to de-risk the development of the mixed tenure/use scheme at Britannia Phase 2b, the appropriation of the land shown within the planning boundary line at Appendix 2 is required.</p> <p>8. The land at the site of the old Britannia Leisure Centre, as shown in Appendix 2, for which authority to appropriate is being sought, is currently a vacant construction site following the demolition of the old Britannia Leisure Centre as part of the Phase 1 works. Once the development has been completed, the land hatched in pink/buff will be appropriated as housing land and transferred to the HRA. The remainder of the land within the Phase 2b development site planning boundary will no longer be required for planning purposes and will be appropriated for general purposes to be administered from the General Fund Account and in accordance with section 122(1) of the Local Government Act 1972.</p> <p>9. Subsequent to the transfer of the land to the HRA and General Fund, 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 3 provides further background information.</p>
16	General Exception: FCR S189 Provision of Leasehold Property Insurance (Part Exempt)	<p>RESOLVED to:</p> <ol style="list-style-type: none"> 1. Note the inability of the existing supplier to fulfil the contract for the provision of building insurance for leasehold properties beyond the 31 March 2023. A decision affecting a number of local authorities nationwide. 2. Approve the award of the leasehold buildings insurance contract to Insurer A for a period of 12 months, at a contract value of c.£4.34m, on the terms outlined in this

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		<p>report.</p> <p>3. Approve the proposal to undertake a comprehensive review of the options open to the Council, including a peer review and full procurement exercise with accompanying Section 20 Consultation with leaseholders, throughout 2023 to procure or implement the best possible value for leaseholders from 1 April 2024.</p> <p>REASONS FOR DECISION</p> <p>1. The Council has a legal requirement to procure and maintain a contract of insurance for both its own and leaseholders' interest in leasehold property acquired under the Right To Buy or similar legislation.</p> <p>2. As part of our standard terms of lease the lessor (the Council) has a duty to arrange building insurance for the block, including the demised premises.</p> <p>3. The current insurance contract was last tendered in 2021 and the appointed Insurer agreed to a 5 year (including a two year optional extension) contract, renewable annually. However, in early 2023 the Council was informed of the sudden announcement by Avid Insurance that they had parted company with their insurer capacity provider and were no longer able to fulfil the contract and that terms would not be offered, under that contract, after 31 March 2023.</p> <p>4. Having sufficient insurance cover is a financial risk management transfer mechanism for the Council without which it would have to meet the cost of any claims and would effectively be in breach of its lease obligations as a landlord.</p> <p>4.5. The full premium is recharged to leaseholders via the existing service charge process managed by Hackney Housing. Seeking the required insurance via an established public sector broker, Marsh, ensures that the Council can demonstrate that it is seeking to procure the policy on the best available terms.</p> <p>6. Terms had been sought on cover no less comprehensive than those currently in place. However, due to the limited market and adverse circumstances the annual premium rates are set to increase by an estimated 65% to an annual premium of £4.43m and the policy excess, the amount a leaseholder is liable to pay in the event of a successful claim, is increased from</p>

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		£50 to £250.
17	Officer Key Decision CHE S181 Waterson Street Safety and Public Realm Scheme - For Noting	<p>RESOLVED: To note this report.</p> <p>REASONS FOR DECISION</p> <ol style="list-style-type: none"> 1. To reduce congestion caused by two way traffic on a narrow road, combined with residential parking. 2. To reduce additional traffic diverted towards Waterson Street from the Cremer Street LTN.