



C O R P O R A T E C O M M I T T E E

**Tuesday 13 December 2022
at 6.30 pm Room 102, Hackney Town
Hall, Mare Street, London E8 1EA**

The live stream can be viewed here:

https://youtu.be/MPJigeQo_5U or
<https://youtu.be/qgQrRC2ghhg>

Members of the Committee:

Councillor Clare Potter (Chair)
Councillor M Can Ozsen
Councillor Clare Joseph
Councillor Steve Race
Councillor Sarah Young (Vice-Chair)
Councillor Michael Desmond
Councillor Lee Laudat-Scott
Councillor Yvonne Maxwell, Mayoral Advisor for Older People
Councillor Jon Narcross
Councillor Fliss Premru
Councillor Midnight Ross
Councillor Ali Sadek
Councillor Ifraax Samatar
Councillor Claudia Turbet-Delof
Councillor Jessica Webb
Councillor Alastair Binnie-Lubbock
Councillor Michael Levy

Mark Carroll
Chief Executive
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Corporate Committee

Tuesday 13 December 2022

Agenda

- 1 Apologies for Absence**
- 2 Declarations of Interest - Members to Declare As Appropriate**
- 3 Consideration of Minutes Of The Previous Meeting (Pages 7 - 10)**
- 4 Pay Policy Statement 2023/24 (Pages 11 - 24)**
- 5 Planning Service Authority Monitoring Report (AMR) (April 2020 - March 2021) (Pages 25 - 98)**
- 6 The Regulatory Services Service Plan Update 2021/22 (Pages 99 - 140)**
- 7 Work Programme 2022/23 (Pages 141 - 144)**
- 8 Any Other Business the Chair Considers to be Urgent**

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.

Matters arising

TENS

The cost of enforcement was more than the administration fees for TENS. The TENS were covered by legislation and a lot of work was being done to lobby the government for change.

Comparison of Pay

This item from 8 March 2022 relating to data on the comparison between the Council and other local authorities in relation to pay was deferred to the next meeting.

Action: The Head of Community Safety, Enforcement & Business Regulation to provide an update.

4 Presentation on Noisework

4.1 Steven Davison, Enforcement (South) Team Leader, gave a demonstration of the Noise Works reporting system.

4.2 In response to questions from members, the Enforcement (South) Team Leader responded as follows:

- There were 12 Community Enforcement Officers in the office dealing with noise and that other agencies/partners such as the police, safeguarding and the mental health teams were involved in statutory noise nuisance cases.
- The system was user friendly and the information was accessible and translated in many languages.
- The police mainly referred contractors for noise nuisance but more work needed to be undertaken to improve people reporting this type of nuisance to the Council.
- It was noted that a video demonstration should be on the Council's website and that more languages such as Somali should be added to the system to improve accessibility.
- The Police were responsible for enforcing fireworks
- The service dealt with 3,000-4,000 residential noise complaints annually and domestic noise was the most reported, which resulted from the young and elderly living in blocks with incompatible lifestyles.

RESOLVED:

The presentation was noted.

5 Environmental Enforcement - Annual Performance Report 2021/22

5.1 Gerry McCarthy, the Head of Community Safety, Enforcement & Business Regulation introduced the report setting out the annual performance report across the enforcement remit for the 2021/22 financial year.

5.2 In response to questions from members, the Head of Community Safety, Enforcement & Business Regulation and the Enforcement (South) Team Leader responded as follows:

- The service worked closely with Adult Social Services to support residents living in blocks suffering from mental health issues due to the Covid-19 lockdown.

- There was a team available 24 hours a day to remove graffiti in the Dalston area however, it was a challenge to tackle graffiti as it occurred during the early morning and also Enforcement Officers also had limited powers.
- The Partnership Tasking meetings were being held to tackle, control and reduce crime and ASB related problems.

RESOLVED:

To note the annual performance report for the service.

6 Enforcement and Environmental Protection Service Delivery Plans 2022/23

- 6.1 Gerry McCarthy, the Head of Community Safety, Enforcement & Business Regulation introduced the Enforcement Service Delivery Plan setting out the objectives of the Service and demonstrating how they were linked to the Mayor's Priorities and Hackney's Sustainable Community Strategy
- 6.2 In response to questions from members, the Head of Community Safety, Enforcement & Business Regulation and with regard to the EIA, it enabled additional support to be provided residents with a disability.

RESOLVED:

To consider both the level and scope of work being carried out to meet the requirements of both the Enforcement and Environmental Protection Service Plans.

7 Business Regulation Service Delivery Plans 2022/23

- 7.1 Gerry McCarthy, the Head of Community Safety, Enforcement & Business Regulation introduced the report relating to the service delivery plans for 2022/23 for the Business Regulation Teams and the three following areas:
- Environmental Health Service: Food Safety
 - Environmental Health Service: Occupational Health & Safety
 - Trading Standards
- 7.2 In response to questions from members, the Head of Community Safety, Enforcement & Business Regulation and responded as follows:
- The Business Team worked with small businesses and information was available on the Council's website to support small businesses.
 - Any business selling food past the expiry date could be reported to the Business Support Team for investigation and an Environmental Enforcement would determine how to deploy the staff.

RESOLVED:

- 1. To review and agree the contents of the Food Law Enforcement Service Plan for 2022/23. There are no further recommendations set out in this report,**
- 2. To consider the level and scope of work being carried out to meet the requirements of the plan.**
- 3. To note the level and scope of work being carried out to meet the requirements of the Health and Safety and Trading Standards Service Delivery Plans.**

8 Draft Work Programme for 2022/23

8.1 Members noted the Committee's work programme.

RESOLVED:

The draft work programme 2022/23 was noted.

9 Any Other Business the Chair Considers to be Urgent

9.1 There was no other urgent business.

Duration of the meeting: 6.30- 8.40pm

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Title of Report	Pay Policy Statement 2023/24
For Consideration By	Corporate Committee
Meeting Date	13 December 2022
Classification	Open
<u>Ward(s) Affected</u>	All
<u>Group Director</u>	Ian Williams, Group Director, Finance and Corporate Services

1. **Introduction**

- 1.1. The Localism Act 2011 requires the Council to publish an annual pay policy statement setting out its policies relating to the:
- remuneration of its chief officers (including details of pay elements, pay increases, salary on recruitment, and payments on termination);
 - remuneration of its lowest-paid employees; and
 - the relationship between the remuneration of chief officers and employees who are not chief officers.
- 1.2. The attached draft statement updates the 2022/23 statement which was approved by Council. The 2023/24 statement must be approved by a resolution of the Council before 31 March 2023.

2. **Recommendations**

- 2.1. **Corporate Committee is recommended to agree the Pay Policy and recommend Council to approve it.**

3. **The 2023/2024 Pay Policy Statement:**

- 3.1. There have been no substantive changes to this policy. The statement details current pay practice, and no new policy principles are being introduced.
- 3.2. The legal requirements to publish a pay policy are broadly drawn and there is considerable discretion over the amount of information that authorities choose to disclose. In preparation of the statement, account has been taken

of the guidance *Openness and accountability in local pay: Guidance under section 40 of the Localism Act* and the subsequent supplementary guidance both published by the Department for Communities and Local Government (DCLG), now the Department for Levelling Up, Housing and Communities. Account has also been taken of guidance issued by the JNC for Chief Executives.

- 3.3. The Council will be bound by the approved Pay Policy Statement, which can only be amended by Council resolution, and the Policy has been drafted to provide sufficient flexibility to enable practical implementation within the year.
- 3.4. Both the NJC for Chief Executives and the (former) DCLG in their Code of Recommended Practice promote the use of a 'pay multiple' (the relationship between the Chief Executive's salary and the median salary) as the most effective way to present the relationship between chief officers and employees who are not chief officers. The Council agrees and the statement includes the calculation and tracking of this pay multiple. It should be noted that actual salaries and other payments made to some officers are required to be published in the Annual Statement of Accounts, and this is done also.

4. Comments of the Group Director of Finance and Corporate Resources.

- 4.1. As per section 3 of this report, the Localism Act 2011 requires the Council to publish an annual pay statement for Chief Officer Pay. The pay multiples have been prepared based on the Local Government Association's Transparency Code.
- 4.2. The Council faces considerable challenges in implementing the nationally negotiated pay deal for 2022/23 which will impact our financial position, both in the current year and going forward. As has previously been advised in the 2022/23 Budget Report, the current year's budget factors is an assumption of a 2 per cent pay increase.
- 4.3. Workforce pay represents a significant part of the Council's overall spend and needs to be managed within available resources.

5. Comments of the Director of Legal, Democratic and Electoral Services

- 5.1. S38 (1) of the Localism Act 2011 requires the Council to prepare a pay policy statement for 2023/24.
- 5.2. In accordance with Article 4.6 xiv) of the Council's constitution, a function of full Council is to approve the Council's Pay Policy for Chief Officers for 2022/2023 as set out in section 3 of this report.
- 5.3. Insert text here. DUnder Article 9.1 of the Council's Constitution, full Council has the authority to establish Committees to help perform its functions.

- 5.4. Pursuant to Article 9.1.4, the Corporate Committee is responsible for maintaining oversight of the Council's Regulatory, planning, election and human resources functions, as well as other functions not specifically allocated to full Council or another committee.
- 5.5. The Pay Policy Statement at Appendix 1 meets the requirements of the Localism Act 2011 and approval of the Pay Policy Statement shall be approved as described by Recommendation 2 above.

Appendices

Appendix 1 - Pay Policy Statement

Background documents

None

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Comments for the Group Director of Finance and Corporate Resources prepared by	Mizanur Rahman Chief Accountant, Finance and Resources Directorate mizanur.rahman@hackney.gov.uk Tel. 020 8356 4347
Comments for the Director of Legal, Democratic and Electoral Services prepared by	Juliet Babb Team Leader (Employment) juliet.babb@hackney.gov.uk Tel. 020 8356 6183

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Pay Policy Statement 2023/24

Part 1 – Introduction and application

1.1 To improve transparency and accountability within Local Government, Hackney Council will annually publish details of its pay policy. The publication of this Pay Policy Statement meets the requirements contained in chapter 8 of the *Localism Act 2011*.

1.2 For the purposes of this Statement, Hackney's chief officers comprise the Chief Executive officer, first tier and second tier, grades CO1-CO3.

The Chief Executive is responsible for the strategic overview of all Council services and for leading the Council's Management Team in ensuring that the Mayor's strategic priorities are met.

The Council has a structure of 5 Groups:

- Chief Executive's Directorate
- Adults Health and Integration
- Childrens and Education
- Finance and Corporate Resources
- Climate, Homes and Economy

With the exception of the Chief Executive's directorate, each Group is led by a Group Director with individual divisions headed up by Strategic Directors or Directors.

1.3 Hackney Council is required to publish its policy on:-

- Making discretionary payments on termination of employment¹. In exceptional circumstances the Council may consider enhanced compensation payments. Any payments made must be proportionate, reflect additional costs that may arise and fulfil the needs of the service. Each case will be considered on its merits and in

¹ Under the requirements of the *Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006*

compliance with the legislation, no payment will exceed the value of 104 weeks' pay. All such payments will be subject to an internal business case approval process involving Finance and Human Resources.

- Increasing an employee's total pension scheme membership and on awarding additional pension.² The Council will not increase total pension scheme membership nor award additional pension.

- 1.4 This Pay Policy Statement also sets out the Council's policy as it relates to the remuneration of its lowest paid employees.
- 1.5 This Pay Policy Statement sets out the principles governing remuneration within the Council in 2023/24. This Pay Policy Statement is approved by full Council resolution.
- 1.6 Hackney Council's pay and remuneration practice in 2023/24 must be in accordance with the policy expressed in this statement. A resolution of Council is required to amend this policy.
- 1.7 This Pay Policy Statement will be published on the Council's website and governed by the publishing local government data licence terms that can be found at <https://hackney.gov.uk/senior-officer-pay>.

Part 2 – Officer appointment, pay and remuneration

2.1 Appointment of chief officers

A Council resolution is required to approve the appointment of a Chief Executive. The prospective candidate will be recommended to Council by a committee or sub-committee of the Council that includes at least one member of the Executive.

The Council's Appointments Committee will establish a sub-committee, which includes at least one member of the Executive, to approve the appointments of Group Directors.

Appointments to Strategic Director and Director posts will be the responsibility of the relevant Group Director and lead Member.

² In accordance with the *Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006*

2.2 Remuneration of chief officers on appointment

The remuneration of the Chief Executive on appointment will be agreed by the Council's Appointments Committee.

With the exception of the Chief Executive, all chief officer posts are evaluated by Human Resources using the Local Government Employers Senior Manager job evaluation scheme. The evaluation provides an overall score for the job that will determine the appropriate grade and pay band for the post-holder.

At appointment chief officers are normally offered a salary corresponding to the lowest spinal column point in the relevant pay band for the job unless a higher spinal column is agreed (in order to, for example):-

- match the appointee's previous salary (e.g. in the case of a move from another authority); or
- secure a specific candidate with particular experience, expertise and / or competence

2.3 Chief Officer pay

The Council uses three chief officer grades – CO1, CO2 and CO3. Salaries of Chief Officers are published according to the relevant Regulations.

The Chief Executive's salary does not correspond to an established Council grade and spinal column point; it is a 'spot' salary determined by the Appointments Committee on appointment and may be reviewed by the Mayor.

The Chief Executive, in consultation with the Mayor, has the authority to approve a 'spot' salary and/or a market supplement outside of the established chief officer grades and pay bands. In such circumstances, the Chief Executive will consider the published advice of the JNC for Chief Officers of Local Authorities.

The Council has appointed the Chief Executive as Returning Officer for parliamentary and local elections, and referenda under the *Representation of the People Act 1983* and subsequent regulations. The Chief Executive will receive fees for discharging the Returning Officer responsibilities as determined by the governing body responsible for the election. Other Chief Officers may also receive fees if appointed to elections roles by the Returning Officer.

2.4 Increases and additions to remuneration for chief officers

Chief Executive

Percentage annual pay increases will be linked to those nationally negotiated and agreed by the Joint Negotiating Committee (JNC) for Chief Executives.

Chief Officers

Annual increases in base pay awards will be determined by those nationally negotiated and agreed by the Joint Negotiating Committee (JNC) for Chief Officers.

With the exception of the Chief Executive, Chief Officers who may be eligible for an increment will be subject to an annual appraisal of achievement against agreed targets/tasks and in accordance with the Council's management competencies. Where overall performance is rated as meeting specified criteria, the officer will receive an increment to the next point of the relevant salary scale.

Where Chief Officers are at the salary scale maximum or on 'spot salary', additional payments may be agreed at the discretion of the Chief Executive.

2.5 Policy on bonus payments

Bonuses will not be paid to chief officers.

Bonuses are also not paid to other employees, with the exception of certain former Hackney Homes staff who have TUPE transferred to Hackney Council and who retain a productivity based incentive scheme as part of their protected TUPE terms and conditions of employment.

The Council's policies on 'acting-up', honorarium, market supplements and/or ex-gratia payments will apply to Chief Officers.

2.6 Policy on employees (including chief officers) ceasing to hold office

Redundancy

The Council's policy on redundancy payments applies equally to chief officers and non-chief officers. Where posts are deleted, redundancy payments will be made in accordance with the statutory redundancy tables. Under the Council's discretions policy, redundancy payments are based on actual weeks' pay and not the statutory minimum. The maximum redundancy payment that can be made is equivalent to 30 weeks' pay.

In addition to the redundancy payment the Council will make a discretionary severance payment at the standard rate at 70% of the value of the redundancy payment. This applies to all staff regardless of their pay grade. Where there is an automatic entitlement to the early release of pension benefits as a result of being made redundant³ and there is a pension strain cost due to that early payment, this will be offset against the discretionary severance amount prior to any payment being made.

Any employee leaving the Council as the result of redundancy will not be permitted to re-join Hackney Council in any capacity, including engagement

³ Under the terms of the Local Government Pension Scheme Regulations

via employment agencies or as a consultant, for at least one year, except in exceptional circumstances and where specifically agreed by the Group Director, Finance and Corporate Resources. There is no such restriction on an individual made redundant by another local authority from securing employment with Hackney Council.

Any legislation that may be enacted during the year in respect of termination payments and/or clawback of termination payments will be applied and may vary this policy. In November 2020, regulations that capped exit payments to £95k came into force. This was revoked in February 2021. Although the Government indicated that they would 'soon' introduce new measures, it is not known when the new measures will come into force. This pay policy will be varied to meet the legal requirements of any new regulations.

Release from service in the interest of efficiency

Where a post is not being deleted but where an employee is no longer able to carry out the job effectively, the Council may consider the option of early retirement on the grounds of efficiency. A full assessment of all the circumstances must be carried out in accordance with the Council's policy on redundancy and discretionary compensation.

Early retirement of a chief officer on the grounds of efficiency must be authorised by the Chief Executive in consultation with the Group Director - Finance and Corporate Resources. Any specific requirements that may be introduced with new measures for capping exit payments will be followed, if and when new measures come into force.

Flexible retirement

The Council's policy on flexible retirement applies equally to chief officers and non-chief officers. Flexible retirement provides the ability for an employee to draw their pension at the same time as being able to remain as an employee through a reduction either in hours of work or grade. There is no bar to individuals who have taken flexible retirement from securing work with Hackney Council.

2.7 Arrangements to minimise tax avoidance

The Council aims to appoint individuals to chief officer positions on the basis of contracts of employment and apply direct tax and National Insurance deductions from pay through the operation of PAYE. Consultants will only be used where warranted by the particular skills required. Where used, consultants' appointments will be reviewed annually by the Group Director, Finance and Corporate Resources.

2.8 Policy on publication and access to information relating to remuneration of chief officers

The Council will publish this Pay Policy Statement and chief officer salary details annually on its website.

Part 3 – Relationship of chief officer pay and remuneration to workforce pay and remuneration

3.1 Pay for employees who are not chief officers

Hackney Council employees are employed on terms and conditions which fall within a relevant national/regional pay and conditions framework. The frameworks are:-

- the National Joint Council (NJC) for Local Government Services as modified by the Greater London Provincial Council agreement of 2000
- the JNC for Youth and Community workers
- the Soulbury Committee (for educational psychologists, advisers and inspectors)
- Teachers pay and conditions framework
- the JNC for Coroners
- The Local Government Employers senior manager evaluation scheme

Non-chief officer jobs are evaluated using the Greater London Provincial Council (GLPC) job evaluation scheme for posts up to and including PO14/15 grade and the Local Government Employers Senior Manager job evaluation scheme for posts over PO14/15. An alternative job evaluation scheme may be adopted for use within the Council for some or all non-chief officer jobs if identified as desirable as part of a pay and grading review. At appointment, officers will be offered a salary corresponding to the lowest spinal column point the relevant pay band for the job unless a higher spinal column point is required to match the appointee's previous salary or to secure a specific candidate with particular experience and competence.

The use of market supplements may be considered where the Council is unable to compete for talented staff owing to the evaluated grade falling below the market rate for the job. The appropriate Strategic Director or Director is required to establish the business case, gather supporting evidence and submit a case to their Group Director. Any such business case must include an assessment of the financial, strategic and operational implications of the proposal. Where market supplements are used, their continued use must be assessed regularly (at least every two years) against relevant sector pay data.

3.2 Lowest-paid employees

For the purposes of this Pay Policy Statement, the 'lowest paid employee' is defined as an employee on the lowest pay point routinely used by Hackney Council for its substantive jobs, calculated at full-time equivalent. The lowest

pay point routinely used is spinal column point 3 of the Inner London pay scale set by the Greater London Provincial Council. You will note that in previous years this was spinal column point 10, however, pay scale spinal column points were changed in 2019 to reflect the fact that spinal column points lower than 10 had been eroded.

Staff paid at levels beneath spinal column point 3 are not on the pay scale set by the NJC for Local Government Services, are staff who have not wished to come onto Council terms and conditions because of terms protected under the TUPE Regulations, or are apprentices under the age of 18.

It is the Council's policy that all of its employees (excepting employees whose overall terms and conditions are protected under the TUPE Regulations and apprentices under the age of 18) will receive an hourly pay rate that is equivalent to or higher than the London Living Wage.

All workers supplied to the Council by a temporary work agency will be paid a rate at least equivalent to the rate that would be received by a comparative permanent employee. All agency workers will receive an hourly rate that is equivalent to or higher than the London Living Wage.

3.3 Pay multiples

Hackney Council will annually publish the ratio of the pay of its Chief Executive to that of its median and lowest-paid earner.⁴

The median is the salary that separates the higher-earning half of the workforce from the lower-earning half. All salaries will be arranged from lowest to highest value and the middle salary will be selected as the median.

The calculation of the pay multiples will be based on all earnings for the year, including base salary, variable pay, allowances and the cash-value of benefits-in-kind. Pay for part-time employees is scaled-up to full-time equivalent to enable meaningful comparisons and pay for those that have only worked a part year is also scaled up as those they worked a full year. Benefits which employees participate in but not taxed (such as salary sacrifice arrangements) are included within total earnings figures.

Pay:	2020/21	2021/22
Chief Executive's total pay	£185,012	£200,274
Median total pay	£35,949	£36,579
Ratio	5.15	5.48

Hackney Council will also annually publish the rate of its Chief Executive to that of its lowest-paid earner:-

⁴ In accordance with the *Code of Recommended Practice for Local Authorities on Data Transparency* (DCLG)

	2020/21	2021/22
Chief Executive's total pay	£185,012	£200,274
Lowest-paid total pay	£22,608	£23,004
Ratio	8.18	8.71

All earnings:	2020/21	2021/22
Chief Executive's total earnings*	£186,438	£200,274
Median total earnings	£36,618	£37,260
Ratio	5.09	5.38

	2020/21	2021/22
Chief Executive's total earnings	£186,438	£200,274
Lowest-paid total earnings	£22,608	£23,004
Ratio	8.25	8.71

Notes to the pay multiples

1. All earnings for the Chief Executive include salary, a travel allowance, and payments made for election duties. In 2021/2022 there were no elections after the current post holder took up duties, and election duties are not reflected in the Chief Executive's total earnings above. The travel allowance was incorporated into the salary paid to the Chief Executive on 1st June 2021 (the day after the previous incumbent left the Council's service)

Part 4 – Other reward mechanisms

4.1 Pay protection

Hackney Council has a pay protection policy that provides a mechanism to assist employees to adjust to a reduction in pay arising from organisational change or redeployment. Pay is protected for a period of 6 months following which the employee reverts to the level of pay for the substantive grade.

4.2 Pension

Hackney Council operates the Local Government Pension Scheme (LGPS) and makes pension contributions as required to all employees who participate in the scheme. The Council has determined policies around the discretions available under the LGPS.

Since 1 July 2013 the Council automatically enrolls workers into the Local Government Pensions Scheme, if they meet the following criteria:-

- Earn over £10,000 a year (2022/23 figure); and
- Are aged between 22 and State Pension Age⁵

4.3 Other benefits

To maintain employee engagement the Council recognises that it is important to motivate their employees by other means (non-salaried). Therefore, all permanent employees may participate in the childcare voucher scheme (applies to existing members only as the government is phasing out the scheme) and a cycle-to-work scheme through a salary sacrifice arrangement as well as a range of other benefits. There is also a range of other discounted benefits such as discounted gym membership which is provided at no cost to the Council and a general employee discounts scheme (vectis card) as well as a low cost loans offer, season ticket loans and tenancy deposit loans. There is also a scheme that allows early access to a proportion of pay already earned. Further employee benefits may be introduced during the year as appropriate.

In April 2018 the Council introduced provision for additional leave and pay for parents of premature babies that are hospitalised after their birth.

⁵ As required by the *Pensions Act 2008*

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Title of Report	Planning Service Authority Monitoring Report (AMR) (April 2020 - March 2021)
For Consideration By	Corporate Committee
Meeting Date	13 December 2022
Classification	Open
<u>Ward(s) Affected</u>	All Wards
<u>Group Director</u>	Rickardo Hyatt

1. Introduction

- 1.1. This report seeks approval of the Planning Service’s Authority Monitoring Report (AMR) for financial year 2020 (FY2020/21) covering the period between 1 April 2020 to 31 March 2021.
- 1.2. The AMR provides monitoring information on planning-related activity and helps to monitor performance and the effectiveness of planning policy. It highlights the extent to which the policies set out in adopted planning policy documents have achieved their objectives, using quantitative indicators.
- 1.3. This year's AMR is limited in data analysis as a result of missing data due to the cyberattack in October 2020 and the transfer of data to a new IT system. Data on planning permissions approved between 25 June 2020 to 31 October 2020 is in the process of being recovered. The Council has been working with data scientists to retrieve this missing data and is also working collaboratively with the Greater London Authority and IDOX (owners of the cloud based planning system that the Council has migrated to for managing planning applications) to find alternative solutions to retrieve and report on this data.
- 1.4. The data presented in this report is the best assessment of performance of Local Plan policies and updates on planning-related activity and planning decisions over the past financial year using available data. The findings will be verified once all data is retrieved (anticipated to be by February 2023) and reported in the AMR next year.

2. Recommendations

- 2.1. **The Corporate Committee is recommended to:**

2.2. **(a) approve the Authority Monitoring Report FY2020/21 (as set out in Appendix 1).**

3. **Reason(s) for decision**

3.1. The production of the Authority Monitoring Report is a statutory requirement as part of the Council's role as Local Planning Authority.

4. **Background**

4.1. The last AMR was approved by the Corporate Committee in March 2021 and covered the period between April 2019 to the end of March 2020. This AMR (appendix 1) provides an update, reporting on the monitoring year from 1 April 2020 to the end of March 2021. It provides analysis of the effectiveness of policy including a review of developments which have been completed, and planning applications approved over the last monitoring year where data is available.

Policy Context

4.2. The AMR report provides monitoring information on the performance of Local Plan policies and updates on planning-related activity and planning decisions over the past financial year and where appropriate over 5 years. It also reports on progress in new plan making and progress on Neighbourhood Planning in the borough.

4.3. The key findings of the AMR are as follows:

Housing

Key Points: In Hackney, 96% of the Government's Housing Target was delivered over the last 3 years. The proportion of affordable housing approved in major development (10+ units) was 45%.

4.4. The Government's Housing Delivery Test returns which is measured over 3 years shows that between FY2018/19 to FY2020/21 the number of new homes completed in Hackney was 96% of the Local Plan target which was an improvement on our previous result of 90%.

Between 2016/2017 and 2020/21 the number of new homes completed in Hackney was 87% of the borough's housing target. In total 6,452 new homes were built in the last 5 years with 1,107 units completed in this monitoring year, which is 83% of the borough's annual housing target. This housing supply is made up of conventional self-contained homes as well as non-conventional homes such as student halls, HMOs and hotels¹.

¹ Non-conventional accommodation includes student accommodation and communal accommodation such as hotels and HMO. 2.5 student bedrooms are counted as the equivalent of 1 residential unit and 1.8 other communal bedrooms are counted as the equivalent of 1 residential unit.

- 4.5. The number of non-conventional housing completed in 2020/21 was 188, higher than last year, and fewer than the 334 in 2018/19.
- 4.6. The conventional supply of housing in FY2020/21 delivered 919 self contained homes, and of these 195 (21.2%) homes were in affordable tenures, with a quarter of those being 3 bed units and larger. The schemes completed in FY2020/21 with on-site affordable housing were granted planning permission between 2011 and 2018. Of the 919 units provided, 794 (86%) were from large sites, of 10 plus units. In addition to this, in the FY2020/21 £6.37m was collected through S106 for affordable housing. While the Council will receive a £350,000 contribution towards affordable housing from a smaller scheme (i.e. under 10 residential units) under the small site policy.
- 4.7. In FY2020/21 on major schemes, 988 residential units of which 445 (45%) were affordable were granted planning permission in 2020/21.
- 4.8. New housing has been delivered across the borough but growth is focussed in Woodberry Down, Shoreditch and Hoxton.
- 4.9. **Summary:** The LP33 policy response to the high level of non-conventional housing supply is to prioritise C3 conventional housing over other types of C use class. To address issues around housing affordability for residents, Local Plan 2033 continues to require 50% affordable housing subject to viability and sets out new policies including policies to secure affordable housing on small sites of less than 10 units. Over the last three years, Government returns show that the Council has delivered 96% of its housing target. In FY2020/21/21 the Council collected £6.37m for affordable housing, and between the adoption of LP33 and April 2021, secured £350,000 towards affordable housing from a smaller scheme.

Employment

Key Points: There continues to be growth in new businesses within the borough

- 4.10. In 2020 there were 23,270 enterprises in Hackney, that is up by 1,970 from 2019. Between 2016-20 Hackney gained an additional 6,385 active enterprises, or a growth of 38% over the period, almost three times the Inner London average (13%), creating increasing demand for floorspace.
- 4.11. In FY2020/21 around of 22,000sqm of office floorspace was delivered in the borough.
- 4.12. To address the increasing level of unaffordability for businesses in the Borough, the Council's Local Plan included an updated Affordable Workspace policy which revised the affordability thresholds to ensure that workspace secured was more affordable to end users. Since 2014, the

planning service has secured approximately 14,700sqm of affordable workspace through S106 agreements.

- 4.13. 7 of 8 applications delivered 3,475sqm of non-monetary affordable workspace in FY2020/21 as compared to 2,320sqm from 6 schemes in FY 2019/20.
- 4.14. There were 866 new hotel and hostel rooms completed since December 2015. In FY2020/21 there were 270 hotel and hostel rooms completed.
- 4.15. **Summary:** Local Plan 2033 sets out an approach to secure more affordable workspace and better protect against the loss of industrial floorspace in the future. There was 3,475sqm of affordable workspace delivered in FY2020/21 which was an increase on the previous years delivery of 2,320sqm (FY2019), increases in businesses set up in the borough and around 22,000sqm of employment floorspace delivered in the borough indicates continues success of Local Plan employment policies. This has been further strengthened by Article 4 Directions protecting Class E to C3 in Hackney's designated industrial areas, the Central Activities Zone and designated town centres. The Article 4 Directions will require commercial, services and businesses wishing to change to residential to apply for full planning permission to ensure that proposals are fully considered in terms of quality and standards of residential, impact on infrastructure, and there is a balance between retail, commercial, leisure, and residential in the borough's strategically and locally important commercial and employment areas.

Retail and Town Centres

Key Points: Hackney has seen growth in retail over the last 5 years.

- 4.16. LP33 policies strengthen the requirements around Commercial E(a) units (former A1 units) within the major, district centres and local centres. Through LP33, Hackney Central has become a major town centre, Stamford Hill a District Centre and four new local shopping centres have been designated in the borough.
- 4.17. Hackney's designated town centres are performing well in terms of vibrancy and interest, with a broad range of shops. The latest surveys from 2021 showed that the borough's four Major and District centres had vacancy rates below or in line the national average (13.87%) for town centres².
- 4.18. It is important to note that outside of town centre designations there has been an increase of new retail space between FY2017/18 - FY2020/21

² Experian Goad Town Centre Surveys and Reports for Dalston (12.9%), Hackney Central(13.9%), Stoke Newington High Street (9.7%) and Stamford Hill (4.0%) (June 2021).

- 4.19. Planning policies for the night time economy have had mixed results over the last five years. Dalston and Hackney Central have seen an increase in Restaurants and Cafes (former A3) now Class E(b) as have some of the local centres including Kingsland Road, Lauriston Road and Stoke Newington Church Street.
- 4.20. Drinking establishments and hot food takeaways share a low level of completions in FY2020/21 in keeping with the trend in FY2019/20. With drinking establishments, there has been a mixed picture across the town centres, although most of the designated centres saw no change at all. The greatest loss has been outside town centres. Local Plan 2033 and the emerging Future Shoreditch Area Action Plan both promote the diversification of the night time economy.
- 4.21. In FY2020/21 7,527sqm of retail floorspace (former UCO A1 - A3) were completed. The largest schemes completed in FY2020/21 with a significant proportion of retail floorspace was 97-137 Hackney Road (2015/3455 Haggerston Ward), which included 3,500sqm of retail (Shops, Restaurants and Cafes and Drinking Establishments), and 420-424 Seven Sisters Road (2015/0844 - Woodberry Down ward, Manor House Local Centre) with 706sqm of shops and restaurants and cafes.
- 4.22. **Summary:** The Local Plan sets out a strategy to protect retail in town centres and encourage a network of centres that are viable and attractive. The London Plan has reclassified Hackney Central as a major centre, and retail growth will be focused there and in the other major centre of Dalston. Additionally, Stamford Hill becomes a district centre through the new London Plan and LP33, and Green Lanes, Hackney Downs, Oldhill Street and Dunsmere Road will be designated as new local centres. Through emerging work on Future Shoreditch AAP, Stamford Hill APP, and supplementary planning guidance for Dalston and Hackney Central town centres, the Council seeks to guide and deliver the overall objectives of the Local Plan in these growth areas.

Communities, Culture, Education and Health

Key Points: Planning continues to secure funding through the Community Infrastructure levy and Section 106 agreements.

- 4.23. In FY2020/21, the Council received a total of £11.6 million in s106 payments and signed agreements worth a total of £3.0 million.
- 4.24. Around £4.6 million was spent during FY2020/21, funding extensive improvements to libraries and schools, health community facilities, job opportunities, the public realm and open spaces.

- 4.25. Hackney's CIL, adopted in April 2015, £8.2 million of Hackney and Mayoral CIL was invoiced and £3.9 million received in FY2020/21 in CIL contributions.
- 4.26. The borough also collected £3.4 million for the Mayoral CIL to assist with the funding of the Crossrail development.
- 4.27. In 2020, a 25 year lease of affordable workspace was secured as part of a s106 agreement at Principal Place. £670k of strategic CIL was spent on enhancement of a variety of borough parks. Funding contributed to improving sports, play and toilet facilities.
- 4.28. 2 new schools were delivered in FY2020/21; New Regents college has the capacity for up to 250 pupils between the ages of 5 and 16 years, and the mixed use scheme including a 350 pupil primary school was completed on the Former Kingsland Fire Station site.
- 4.29. **Summary:** The Local Plan seeks to protect, enhance and provide additional social infrastructure including community and education facilities. Around £4.6m of S106 money was spent in FY2020, for improvement to libraries, schools, health community facilities, job opportunities, public realm and open space. A college and a primary school were also completed in 2020/2021.

Transport

Key Points: Public transport use in the Borough decreased due to the pandemic and more developments have been car free over the last year.

- 4.30. It should be noted that because of the lag in data collection for transport, nearly all of the AMR figures pre-date the outbreak of the global Covid-19 pandemic in 2020.
- 4.31. The lockdowns associated with the pandemic resulted in a greatly reduced use of public transport to aid social distancing.
- 4.32. The Covid-19 pandemic in 2020 resulted in an acceleration of Hackney's School Streets and Low Traffic Neighbourhoods programmes with the introduction of 19 new Low Traffic Neighbourhoods and over 40 School Streets around most of the borough's Primary Schools as well as the creation of two new protected cycle routes.
- 4.33. The 2019/20 London Travel Demand Survey identified that 42.8% of people in Hackney use walking as their main mode of transport over a seven day period as compared to the Greater London average of 38.2%. This puts Hackney in a good position to meet its local 40% walking share target in 2025.

- 4.34. Planning policies have facilitated the delivery of car free development throughout the Borough. There has been a steady increase in car-free developments in the borough with 31 car free obligations agreed in FY2020/21 as compared to 22 in FY2019/20. Hackney has by far the highest levels of residents cycling to work in London, at 15.4% of all commuter journeys (based on the 2011 Census and taking into account those who do not work or work from home), the second highest borough is Islington at 10.1%, and is almost four times greater than the London average of 4.3%.
- 4.35. The Council has completed upgrades to Hackney Central station in summer 2022 providing a new access to the station on Graham Road in partnership with Transport for London. This will be reported in full in the next AMR for FY2021/22.
- 4.36. The Council is supportive of proposals for the Crossrail 2 rail project linking North East and South West London, with a new station at Dalston and has stressed the importance of an interchange there.
- 4.37. **Summary:** To reduce emissions and help create liveable neighbourhoods across the whole borough, LP33 has strengthened its car-free policy which has resulted in 31 car-free obligations being agreed compared to 22 in the previous reporting year (FY2019).

Open Spaces Environment and Climate Change

Key points: 28 parks and open spaces in Hackney have been awarded Green Flag status in FY2020/21.

- 4.38. Hackney has green spaces totalling 396 hectares of open space, ranging from large areas of Metropolitan Open Land at the Lee Valley Regional Park, which accounts for almost 40% of the borough's open space, to pockets of grass by the side of roads.
- 4.39. Out of 58 parks and open spaces, 28 have been awarded Green Flag status in FY2020/21, an increase of one from the previous year (2019). The 28 parks and open spaces retain this status in 2022.
- 4.40. Planning obligations have been used to allocate or deliver the following improvements to open spaces in FY2020/21:
- Shoreditch Park Improvements
 - St Thomas Recreation Ground Shelter
 - Connecting Green Spaces Daubeney Fields
 - Shepherdess Walk Play Area
 - Fairchild's Gardens improvements

Design and Heritage

Key Points: The number of buildings on the at risk register has fallen from 33 to 29 sites in FY2020/21.

- 4.41. The Heritage at Risk Register is operated by Historic England and identifies historic buildings, structures and areas at risk of neglect, decay and unlawful works. The number of listed buildings at risk in the borough remains has fallen to 29 sites from 33 in FY2019/20.
- 4.42. The Hackney design awards are held biannually. The 2020 Hackney Design Awards received 47 nominations up from 42 in FY2019/20 and winners were announced at an Awards ceremony in late 2020. There were a total of 4 awards and 7 commendations in the main awards category. A mixed use residential and commercial scheme in London Fields called the Fisheries won People's Choice Award, whilst the Young People's Choice Award went to Gainsborough Primary School for an ambitious redesign of the listed school's forecourt. The Hackney Design Awards are running again in 2022 [.Hackney Design Award Nominations.](#)
- 4.43. The tallest building completed in Hackney in FY2020/21 was the 29 storey 'The Makers Building', which is part of the New Regents College development, in Shoreditch. The next tallest buildings completed were 33 Kingsland Road (11 storeys) and 211-227 Hackney Road (10 storeys), both on major routes in identified growth areas. The tallest building approved in FY2020/21 was on the 39-47 East Road site where part of the site will go up to 27 storeys.
- 4.44. **Summary** The new Local Plan 2033, informed by a borough-wide characterisation study, sets out an approach to ensure that heritage assets can be protected by delivering good growth. Following consultation, 15 buildings were added to the Hackney Local list in FY2020/2021. The increase in public nominations received in 2020/21 for the Hackney Design Awards of 47 nominations from 42 in 2018 is an indication of the strength in the effectiveness of design policies in LP33.

Planning Performance

Key Points: Major targets in planning performance were met in FY2020/21 despite the serious challenges faced by the service.

- 4.45. In FY2020/21, 15 out of 19 Major Planning Applications were determined in accordance with agreed timescales. This is a 76% achievement rate against a target of 70%.
- 4.46. 412 minor applications were received and 364 (78%) were determined within 8 weeks, beating the 75% target.

- 4.47. 383 of 345 other applications (91%) were processed within their 8 week deadline, exceeding the 80% target.
- 4.48. Out of 16 appeals submitted in FY2020/21 6 (29%) were dismissed. It should be noted that the Planning Inspectorate's ability to process appeals following lockdown, as well as the cyber attack on the Council, meant that the 16 appeal decisions falls significantly short of what is normally processed (for example, 226 appeals decided in FY2019/20 (65% appeals dismissed). With such a small sample size covering a just snapshot in time, appeals performance in FY2020/21 should be treated as an exception rather than cause for concern.
- 4.49. The appeals performance for 2020 however should be taken with caution when compared to performance in previous years; the impact of covid and the lockdown, plus the cyber attack meant that just 26 appeals were decided (compared to, for example, 224 appeal decisions in 2019). This is further compounded by the fact that appeals are processed by the Planning Inspectorate, and so the Planning Service were reliant on the ability of the Planning Inspectorate to register and commence appeals following the lockdown.

Equality impact assessment

- 4.50. The AMR will help feed into planning policies and help identify equality issues. As a research document, it does not propose any actions which will have an impact on equality groups, and as such does not require an equalities impact assessment.

Sustainability and climate change

- 4.51. The AMR reports on the performance of sustainability policies that will be revised as necessary if any issues arise..

Consultations

- 4.52. Consultation has been undertaken on chapters with the relevant service providers, for example Transport.

Risk assessment

- 4.53. There are no significant risks identified for the production of the AMR.

5. Comments of the Group Director of Finance and Corporate Resources.

- 5.1. The Localism Act 2011 requires the local planning authority to prepare performance monitoring reports on an annual (or more frequent) basis. The Planning Authority Monitoring Report (AMR) is an important feedback tool used to assess the effectiveness of Hackney's planning policies and also identifying how planning policies are performing and provides a robust basis

to inform any future revisions to policies or their implementation. This AMR covers the year ending 31 March 2021.

- 5.2. There are no direct financial implications arising from this report. The Infrastructure Funding Statement (IFS) does report on the collection and spending of monies through the Community Infrastructure Levy (CIL) and S106 developer contributions.
- 5.3. The costs of preparing the AMR have been contained within existing budgets. The amendments of planning documents and guidance recommended within AMR should help the Council in bringing forward appropriate development and support Regeneration ambitions. Challenges in the Local Government Funding regime mean that the Council is more dependent on growth and external funding and the impact of activities and planning policies within this report are supportive of that direction of travel.

6. **Comments of the Director of Legal, Democratic and Electoral Services**

- 6.1. Under Article 9.1.4 of the Council’s Constitution, the Council’s Corporate Committee is responsible among other things for maintaining oversight of the Council’s planning functions.
- 6.2. The Authority Monitoring Report must be prepared in accordance with section 35 of the Planning and Compulsory Purchase Act 2004 and in the manner prescribed by Part 8 of Town and Country Planning (Local Planning) (England) Regulations 2012. The Authority Monitoring Report at Appendix 1 has been prepared to enable the Council to monitor its performance and in discharge of its statutory obligations.
- 6.3. The Authority Monitoring Report must cover a period the authority considered appropriate in the interest of transparency, beginning from the end of the period of the last report, and which is not longer than 12 months. In discharging this duty, Hackney’s AMR covers the period of the FY2020/21 financial year.

Appendices

Appendix 1 – Planning Service Authority Monitoring Report FY2020/21.

Background documents

None

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Comments for the Group Director of Finance and Corporate Resources prepared by	Name: Nurur Rahman Title: Group Accountant Email: nurur.rahman@hackney.gov.uk Tel:
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Appendix 1

London Borough of Hackney

Planning Service Authority Monitoring Report FY2020/21

Executive Summary

The AMR provides monitoring information on spatial planning-related activity for the financial year of 2020 (FY2020) to inform and monitor policy development and performance. It highlights the extent to which the policies set out in adopted policy documents (Local Plan 2033 (LP33) and adopted area action plans) have achieved their objectives, using quantitative indicators. The findings of previous monitoring reports informed new policies in the Local Plan 2033 (LP33), which replaces the aforementioned policy documents. LP33 was adopted in July 2020.

This year's AMR is limited in data analysis as a result of missing data due to the cyberattack in October 2020 and the transfer of data to a new IT system. Data on planning permissions approved between 25 June 2020 to 31 October 2020 is in the process of being recovered. The Council has been working with data scientists to retrieve this missing data and is also working collaboratively with the Greater London Authority and IDOX (owners of the cloud based planning system that the Council has migrated to for managing planning applications) to find alternative solutions to retrieve and report on this data.

The data presented in this report is the best assessment of performance of Local Plan policies and updates on planning-related activity and planning decisions over the past financial year using available data. The findings will be verified once all data is retrieved (currently anticipated to be by February 2023) and reported in the next AMR next year.

This AMR reports on the monitoring year covering from 1st April 2020 to 31st March 2021, therefore the policies in the LP33 will be applicable as it was adopted in July 2020. The document begins with a brief summary of topic areas before providing analysis on a range of areas using available data, making use of both qualitative and quantitative data. It provides analysis of the effectiveness of policy and of the changing environment it is being applied to in the borough. It does this primarily by reviewing the results of developments which have completed, and in some instances, planning applications permitted during this monitoring year. The AMR also reports on the collection and spend of the community infrastructure levy (CIL) and S106 obligations in accordance with government regulations.

Housing

Key Points: In Hackney, 96% of the Government's Housing Target was delivered over the last 3 years. The proportion of affordable housing approved in major development (10+ units) was 45%.

- The Government's Housing Delivery Test returns, which is measured over 3 years shows that in Hackney between FY2018/19 -2020/21, 96% of the government's housing target was delivered.
- Between 2016/2017 and 2020/21 the number of new homes completed in Hackney was 87% of the borough's housing target. In total 6,452 new homes were built in the last 5 years with 1,107 units completed in this monitoring year. This housing supply is made up of conventional self-contained homes as well as non-conventional homes such as student halls, HMOs and hotels¹.
- In FY2020/21, 919 self-contained homes were delivered, of which 195, 21.2%, were in affordable tenures, with a quarter of those being 3+ bed units. 794, 86% were from large sites, 10+ units. £6.37m was collected through S106 for affordable housing in

¹ Non-conventional accommodation includes student accommodation and communal accommodation such as hotels and HMO. 2.5 student bedrooms are counted as the equivalent of 1 residential unit and 1.8 other communal bedrooms are counted as the equivalent of 1 residential unit.

FY2020/21, and £350,000 has been secured (for FY2020/21) from one smaller scheme since the adoption of the small sites contribution element in policy LP13 'Affordable Housing' of LP33 (July 2020).

- New housing has been delivered across the borough, but growth is focused in Woodberry Down, Shoreditch and Hoxton.
- On major schemes approved in FY2020/21, the Council achieved 45% affordable housing.
- Note: The LP33 policy response to the high level of non-conventional housing supply is to prioritise C3 conventional housing over other types of C use class. To address issues around housing affordability for residents, Local Plan 2033 continues to require 50% affordable housing subject to viability and sets out new policies including policies to secure affordable housing on small sites of less than 10 units. Over the last three years, Government returns showed that in Hackney, 96% of the Government's housing target was delivered. In FY2020/21, the Council has collected £6.37m for affordable housing, and between the adoption of LP33 and April 2021 £350,000 towards affordable housing from one smaller scheme has been secured.

This year's AMR is limited in data analysis as a result of missing data due to the cyberattack in October 2020 and the transfer of data to a new IT system. Data on planning permissions approved between 25 June 2020 to 31 October 2020 is in the process of being recovered. The Council has been working with data scientists to retrieve this missing data and is also working collaboratively with the Greater London Authority and IDOX (owners of the cloud based planning system that the Council has migrated to for managing planning applications) to find alternative solutions to retrieve and report on this data.

The data presented in this report is the best assessment of performance of Local Plan policies and updates on planning-related activity and planning decisions over the past financial year using available data. The findings will be verified once all data is retrieved (anticipated to be by February 2023) and reported in the next AMR in June next year.

Employment

Key Points: There are large amounts of new employment floorspace in the pipeline and high levels of growth in new businesses within the borough.

- In FY2020/21 around 22,000sqm of office floorspace was delivered in the borough.
- In 2020 there were 23,270 enterprises in Hackney, that is up by 1,970 from 2019. The number of enterprises has increased by 38% over the period between 2016 and 2020, compared to 13% in inner London.
- 7 of 8 applications (where data was available) delivered 3,475sqm of non-monetary affordable workspace in FY2020/21 as compared to 2,320sqm from 6 schemes in FY 2019.

Note: Local Plan 2033 sets out an approach to secure more affordable workspace and better protect against the loss of industrial floorspace in the future. There was 3,475sqm of affordable workspace delivered in FY2020/21 which was an increase on the previous years delivery of 2,320sqm (FY2019), increases in businesses set up in the borough and around 22,000sqm of employment floorspace delivered in the borough indicates continues success of Local Plan employment policies. This has been further strengthened by Article 4

Directions protecting Class E to C3 in Hackney's designated industrial areas, the Central Activities Zone and designated town centres. The Article 4 Directions will require commercial, services and businesses wishing to change to residential to apply for full planning permission to ensure that proposals are fully considered in terms of quality and standards of residential, impact on infrastructure, and there is a balance between retail, commercial, leisure, and residential in the borough's strategically and locally important commercial and employment areas. See also paragraphs 3.32 - 3.35.

Retail and Town Centres

Key Points: Hackney has seen growth in retail over the last 5 years.

- Previous AMR reports indicate that there is significant retail and other commercial space in the pipeline.
- In FY2020/21 there were 2 large schemes that delivered a significant amount of retail floorspace totalling 7,527sqm.
- Outside of town centre designations there has been an increase of new retail space delivered between FY2017-FY2020/21.
- Hackney's designated town centres are performing well in terms of vibrancy and interest, with a broad range of shops. The latest surveys from 2021 showed that the borough's four Major and District centres had vacancy rates below or in line the national average (13.87%) for town centres².

Note: Local Plan 2033 sets out a strategy to protect retail in town centres and encourages a network of centres that are viable and attractive. The new London Plan has reclassified Hackney Central as a major centre, and retail growth will be focused there and in the other major centre of Dalston. Additionally, Stamford Hill became a district centre and Green Lanes, Hackney Downs, Oldhill Street and Dunsmere Road were designated as new local centres. Through emerging work on Future Shoreditch AAP, Stamford Hill APP, and masterplans on Dalston and Hackney Central etc, the Council seeks to guide and deliver the overall objectives of the Local Plan for these growth areas.

Communities, Culture, Education & Health

Key Points: Planning continues to secure funding through the Community Infrastructure levy and s106 agreements.

- In FY2020/21, the Council received a total of £11.6 million in s106 payments and signed agreements worth a total of £3.0 million.
- Around £4.6 million was spent during FY2020/21, funding extensive improvements to libraries and schools, health community facilities, job opportunities, the public realm and open spaces.
- Hackney's CIL, adopted in April 2015, £8.2 million of Hackney and Mayoral CIL was invoiced and £3.9 million received in FY2020/21 in CIL contributions.
- The borough also collected £3.4 million for the Mayoral CIL to assist with the funding of the Crossrail development.
- In 2020, a 25 year lease of affordable workspace was secured as part of a s106 agreement for Principal Place. £670k of strategic CIL was spent on enhancement of a variety of borough parks. Funding contributed to improving sports, play and toilet facilities.

² Experian Goad Town Centre Surveys and Reports for Dalston (12.9%), Hackney Central(13.9%), Stoke Newington High Street (9.7%) and Stamford Hill (4.0%) (June 2021).

Transport

Key Points: Public transport use in the Borough has decreased due to the pandemic over the last year.

- It should be noted that because of the lag in data collection for transport, nearly all of the following figures pre-date the outbreak of the global Covid-19 pandemic in 2020. The lockdowns associated with the pandemic resulted in a greatly reduced use of public transport to aid social distancing.
- The Covid19 pandemic in 2020 resulted in an acceleration of Hackney's School Streets and Low Traffic Neighbourhoods programmes with the introduction of 19 new Low Traffic Neighbourhoods and over 40 School Streets around most of the borough's Primary Schools as well as the creation of two new protected cycle routes.
- The 2019/20 London Travel Demand Survey identified that 42.8% of people in Hackney use walking as their main mode of transport over a seven day period as compared to the Greater London average of 38.2%. This puts Hackney in a good position to meet its local 40% walking share target in 2025. The latest returns for the period between 2017/18-2019/20 show that active travel trips by walking or cycling have increased from 51.3% to 52.1% of trips undertaken by borough residents. The cycle mode share of 8.9% is comfortably the highest in London.
- Planning policies have facilitated the delivery of car free development throughout the Borough. There has been a steady annual increase in car-free developments in the borough with 31 car free obligations agreed in FY2020/21 alone.
- The Council has completed upgrades to Hackney Central station in summer 2022 providing a new access to the station on Graham Road in partnership with Transport for London. This will be reported in full in the next AMR for FY2021.

Note: The new Local Plan 2033 has considered transport and development as part of the growth strategy and through the Place Policies section. To reduce emissions and help create liveable neighbourhoods across the whole borough, LP33 has strengthened its car-free policy which has resulted in 31 car-free obligations being agreed compared to 22 in the previous reporting year (FY2019).

Open Spaces, Environment and Climate Change

Key points: 28 parks have been awarded Green Flag status

- Hackney has green spaces totalling 396 hectares of open space, ranging from large areas of Metropolitan Open Land at the Lee Valley Regional Park, which accounts for almost 40% of the borough's open space, to pockets of grass by the side of roads.
- Out of 58 parks and open spaces, 28 have been awarded Green Flag status in 2020, and retained in 2022 - <https://news.hackney.gov.uk/28-green-flags-for-hackney-parks/> (August 2022)
- The Hackney projects allocated or spent funds derived from Planning Obligations in FY2020/21 are:
 - Shoreditch Park Improvements
 - St Thomass Recreation Ground Shelter
 - Connecting Green Spaces Daubeney Fields
 - Shepherdess Walk Play Area
 - Fairchild's Gardens improvements

Design and Heritage

Key Points: The number of buildings on the at risk register has increased to 33 sites in FY2018.

- The Heritage at Risk Register is operated by Historic England and identifies historic buildings, structures and areas at risk of neglect, decay and unlawful works. The number of listed buildings at risk in the borough has decreased to 29 down from 33 previously.
- The Hackney design awards are held biannually. The 2020 Hackney Design Awards received 47 nominations, up from 42 in 2018.
- In FY2020/21, 3 schemes containing buildings of over 10 plus storeys were completed, and 2 were approved.

Note: LP33 provides for a tall buildings policy which was informed by a borough-wide characterisation study. The policy sets out an approach to ensure that heritage assets can be protected whilst delivering good growth. The new Local Plan 2033, informed by a borough-wide characterisation study, sets out an approach to ensure that heritage assets can be protected by delivering good growth. Following consultation 15 buildings were added to the Hackney Local list. The increase in public nominations received in 2020 for the Hackney Design Awards of 47 nominations from 42 in 2018 is an indication of the strength in the effectiveness of design policies in LP33.

Planning Performance

Key Points: Key targets in planning performance were met in FY2020/21. There has been a large number of planning applications processed and planning performance agreements made providing adequate revenue to support continued excellent performance.

- In FY2020/21, 15 out of 19 Major Planning Applications were determined in accordance with agreed timescales. This is a 76% achievement rate against a target of 70%.
- 412 minor applications were received and 364 (78%) were determined within 8 weeks, beating the 75% target.
- 345 of 383 other applications (91%) were processed within their 8 week deadline, exceeding the 80% target.
- 16 appeals were submitted in FY2020/21.
- Percentage of planning enforcement enquiries acknowledged within 5 working days and Percentage of site visits in planning enforcement cases undertaken within 10 working days both exceeded their targets respectively.
- In FY2020/21, 46% of Planning Applications were validated within 5 days. This is a fall on the 67% achieved in FY2018, and below the target of 80%.
- In FY2020/21, 100% of planning searches were processed in 10 working days, above the 80% target.
- Building control held a market share for certification of 39% in FY2020/21, 7% percent up on the previous year.
- 99% of building control applications were processed within 3 days in FY2020/21, above the 80% target.
- The number of site inspections undertaken within 1 day of request was, again, over the 80% target at 96%.

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1. Introduction

- 1.1. Hackney's Planning Service seeks to deliver the Council's spatial objectives through development and implementation of planning policy via the development management process.
- 1.2. This Authority Monitoring Report (AMR) is a requirement under Section 35 of the Planning and Compulsory Purchase Act 2004. Section 113 of the Localism Act 2011 amends section 35 in respect of the requirements to prepare Monitoring Reports. The AMR monitors the performance of Local Development Documents and draws conclusions about their effectiveness.
- 1.3. This AMR covers the periods from 1st April 2020 - 31st March 2021 and where appropriate 1st April 2017 - 31st March 2021 (where a 5 year trend is considered). It reports on the performance of planning policy across key topic areas, and progress of the Local Development Scheme (LDS), the Core Strategy and Area Action Plans (AAPs), as well as neighbourhood planning, the Council's 'Duty to Co-operate', the Community Infrastructure Levy and other issues pertinent to measuring the effectiveness of Hackney's Planning Service.
- 1.4. The report also provides a report on Hackney's Community Infrastructure Levy and S106, looking at both income and expenditure.
- 1.5. Data sources for the AMR come from a range of Local and National Indicators. All data on completions in the borough is sourced from the 2020/21 starts and completions exercise or internal databases where available. The report has also been informed by information received from a range of council teams. All data in the AMR is as up-to-date as possible at the time of going to print. It should be noted that this year's AMR is affected by data issues being experienced by the planning service as a result of the cyberattack in October 2020 and the subsequent data issues proceeding it. Efforts have been made to obtain data from secondary sources where available. See paragraph 1.6 below.

Response to cyber attack and ICT system changes

- 1.6. This year's AMR is limited in data analysis as a result of missing data due to the cyberattack in October 2020 and the transfer of data to a new IT system. Data on planning permissions approved between 25 June 2020 to 31 October 2020 is in the process of being recovered. The Council has been working with data scientists to retrieve this missing data and is also working collaboratively with the Greater London Authority and IDOX (owners of the cloud based planning system that the Council has migrated to for managing planning applications) to find alternative solutions to retrieve and report on this data.
- 1.7. The data presented in this report is the best assessment of performance of Local Plan policies and updates on planning-related activity and planning decisions over the past financial year using available data. The findings will be verified once all data is retrieved (anticipated to be by February 2023) and reported in the next AMR in June next year.

1.8. The report is structured into the following sections:

Executive Summary

- Chapter 1: Introduction
- Chapter 2: Hackney in Context

Planning Policy Update

- Chapter 3: Planning Policy Updates
- Chapter 4: Neighbourhood Planning & Duty to Cooperate.

Topic Areas

- Chapter 5: Housing
- Chapter 6: Employment
- Chapter 7: Retail and Town Centres
- Chapter 8: Communities Culture, Education and Health
- Chapter 9: Transport
- Chapter 10: Open Space
- Chapter 11: Design and Heritage
- Chapter 12: Planning Performance Report

2. Hackney in Context

2.1. Hackney's Corporate Policy Team annually update a profile of the London Borough of Hackney and the people living and working here. Though at the time of drafting this AMR high level census data for 2021 had been released, it had not been broken down into attributes suitable for updating this section and as such this section covers the key facts and figures for Hackney from the 2020 Profile as summarised below:

Location

- 2.2. Hackney is one of 14 inner London boroughs, situated in East London.
- 2.3. London, together with its immediate surroundings of south east England, contributes over a third of the UK GDP. Over the last decade, Hackney's proximity to the multinational financial institutions and their wealth has started to make a difference in the Borough.
- 2.4. Hackney occupies a pivotal location to the north east of the City of London. As shown in Map 1 below, Hackney shares boundaries with Islington, Newham, LLDC, Haringey, Waltham Forest, Tower Hamlets and the City of London.



Map 1: Hackney's London Location

Population

- 2.5. Hackney's population was around 281,000³. Hackney is a relatively young borough with a quarter of its population under 20. The proportion of residents between 20-29 years has grown in the last ten years and now stands at just under 25%. By contrast, those aged over 55 make-up only 15% of the population, making Hackney a relatively young borough.
- 2.6. Hackney is a culturally diverse area, with significant 'Other White', Black and Turkish/Kurdish Communities, as well the largest Charedi Jewish Community in Europe focused in the North East of the Borough. 9 out of 10 residents say groups get on well with each other.
- 2.7. Hackney has a significant immigrant population, with the most recent groups made up of Australian, US and Western European Immigrants.
- 2.8. In 2011, 14.5% of Hackney residents said they were disabled or had a long-term limiting illness.
- 2.9. According to the GLA's population projections, Hackney's population is expected to reach 321,000 by 2033, a forecast increase of over 15% in 15 years. Between 2018 and 2033, the age mix is anticipated to shift towards a slightly older community (10,568 more over-65s than in 2018) and with a notably smaller increase in the school age population (2,383 more 0-15 years olds than in 2018).

Health and Wellbeing

- 2.10. Life expectancy within Hackney is now 79.6 years for men and 83.7 years for women. However, life expectancy for men and women in Hackney remains below the London average of 80.7 and 84.5 years respectively.

Deprivation

- 2.11. Hackney was the 22nd⁴ by rank of average score, most deprived local authority overall in England in the 2019 Index of Multiple Deprivation. 12% (15 out of 128 LSOA) of its Lower Super Output Areas were in the top ten percent most deprived, compared with 17% in 2015.
- 2.12. Hackney is ranked 4th most deprived in the country for Housing and Barriers to Services, 19th for Income Deprivation, 20th for Crime and 21st for Living Environment. It is far less deprived on the deprivation measure relating to Education, Skills and Training. The scores based on the average rank on the 2019 English Indices of Deprivation are exactly the same as the those in the 2018 Authority Monitoring Report.

Education

- 2.13. In 2019, at GCSE the average Attainment 8 score per pupil in Hackney was 49.2 points, approx on par with the London average of 49.7 and higher than

³ Newly published census data by the ONS highlights a revised population estimate of 259,200 people living in Hackney in March 2021. Although this is 5.3% higher than the 2011 Census estimate of 246,300, it is significantly lower than the 2020 mid-year estimate of 280,900, published in 2021.

⁴ 317 local authorities in England. 1 is the most deprived.

the England average of 44.6. Hackney was the 12th best performing borough in London for Progress 8 in 2017.

Economy

- 2.14. The number of firms in Hackney increased by 66% from 2014. In 2019, Hackney hosted 22,560 businesses, a 13% increase from 19,905 businesses in 2018. The March 2020 data shows a 8.5% increase in the unemployment rates in Hackney which is slightly higher than London which saw a 7.4% increase. Some of this increase in unemployment can be attributed to the financial impact of Brexit.

Housing

- 2.15. The proportion of households who rent from a private landlord has more than doubled in the past 10 years. Nearly a third of all households are now private renters; almost 45% of all households in Hackney rent from a social landlord. Those in social housing tend to have higher unemployment and lower average incomes than people living in other tenures.

Crime and Community Safety

- 2.16. Crime fell by over a third between 2003 and 2015 (over 13,000 fewer victims of crime), however crime levels increased since then reaching 12.3% in 2018/19. Crime in Hackney is now higher than in other inner-London boroughs with similar social and economic characteristics.

Growth and Change

- 2.17. In FY2019, the Shoreditch and Hoxton had the largest share of completions, while Lee Bridge and Stamford Hill areas increased their share. In the longer term and past experience indicated that the area along the upgraded North London Line from Dalston to Hackney Wick and along the improved East London Line from Dalston to Shoreditch. These areas are expected to experience the greatest growth in housing, commerce and infrastructure in the coming years and is provided for in LP33.

3. Planning Policy

- 3.1. Hackney continually works to keep its policy current by conducting research and developing new policy for the borough, as well as incorporating and applying changes to National and London-level planning policy.
- 3.2. This AMR (FY2020/21) is reporting on development principles found in the Local Plan 2033 (LP33) which was adopted by Council on 22nd July 2020.
- 3.3. In order to accurately monitor and reflect on FY2020/21 in this AMR, the available data must be assessed against the documents that have guided development within the borough. These are:

Local Plan 2033 (LP33)

- 3.4. Following the receipt of the Planning Inspector's final report on Hackney's Local Plan 2033 Examination in Public, LP33 was adopted by Council on 22nd July 2020.
- 3.5. Since adoption there has been a continued focus on the successful delivery and monitoring of the Plan's Growth Strategy and policies. This includes:
 - the development of area-based plans for those areas in the Borough that will see the most significant growth or sensitivity to change.
 - the production of topic-based Supplementary Planning Documents (SPDs) to provide further guidance on the new policy approach set out in LP33.
 - update of the borough-wide Infrastructure Delivery Plan to support the emerging area-based plans.
 - the effectiveness of the LP33 policies will continue to be monitored on an annual basis through the Council's Authority Monitoring Report.
- 3.6. The focus will continue to be our Housing Delivery performance, against our housing requirement. The latest Housing Delivery Test results (February 2020) suggest that our performance has improved over the last couple of years. Our third Housing Delivery Action Plan (August 2020) explores possible opportunities for improving performance - although also acknowledges the future challenges that all local planning authorities will face in the aftermath of the COVID19 pandemic.
- 3.7. LP33 sets out a growth strategy for the borough up to 2033 and policies which set out the overall planning strategy, and detailed development management policies which guide development within the borough. The vision, delivery strategy and policies of the Local Plan provides an integrated and coordinated approach to planning within the borough.

Local Development Scheme (2023-2025)

- 3.8. The Council is in the process of updating the Local Development Scheme (LDS). The revised LDS (2023 - 2025) will outline planning policy documents' content and the programme for preparing or reviewing them. It helps ensure effective spatial planning of the borough. This new LDS will ensure the effective implementation of the new Local Plan 2033 and reflects the findings of the Council's monitoring work.
- 3.9. The LDS is designed to help our local communities and all our partners interested in development and the use of land and buildings in the Borough to understand what planning documents the Council intends to produce. The LDS is scheduled for Cabinet approval in early 2023.

The North London Waste Plan (NLWP)

- 3.10. The North London Waste Plan is a joint plan by seven north London boroughs: Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. The plan identifies a range of suitable sites for the management of all north London's waste up to 2032 and includes policies and guidelines for determining planning applications for waste developments. Sites under consideration for the expansion of waste facilities do not include any sites within Hackney. Hackney Council adopted the NLWP on 26 January 2022, and thus now forms part of the suite of documents that make up the Local Plan/Development Plan for Hackney. By August 2022, all 7 LPAs have individually adopted the NLWP.

Area Action Plans (AAPs)

- 3.11. From July 2020 the AAPs covering Dalston, Hackney Central and Manor House were replaced by growth area chapters in the adopted Local Plan (LP33). The Council is currently preparing two Area Action Plans for Shoreditch and Stamford Hill that will sit alongside LP33. Both plans will provide guidance to help shape and coordinate development proposals in these key growth areas and identify key development sites.

Stamford Hill

- 3.12. Stamford Hill is a vibrant neighbourhood where there are evident development and growth pressures that require management through area-based planning policies. Stamford Hill has a distinctive local character with a large Orthodox Jewish Community whose population is growing and creating a demand for large family homes, schools and social infrastructure.
- 3.13. A governance structure for the area action plan has been established and includes a Cross Party Members Steering Group and a Community Panel made up of Ward Councillors and Community leaders to advise on the consultation process. The project has carried out extensive local consultation in Stamford Hill and was awarded the Royal Town Planning Institutes National award for Excellence in Plan making practice in 2017/2018.
- 3.14. In January 2017 the Council consulted on 'Towards a Stamford Hill Plan'. The Council received a huge response and has compiled more evidence which

informed the next draft plan which went out for further consultation in 2021. Further Reg 18 consultation was undertaken between Dec - Feb 2022. The feedback from this consultation will help shape the final draft plan (Proposed Submission Version). The timeline for finalising the AAP will be set out in the new Local Development Scheme, scheduled for Cabinet in early 2023.

Future Shoreditch

- 3.15. The Area Action Plan will provide a comprehensive planning framework for Shoreditch to manage development pressures and balance objectives of maintaining the historic character and identity of the area whilst encouraging and facilitating development that contributes to the economic growth of the Borough and the role of Shoreditch in accommodating the expansion of the city in the City Fringe Area.
- 3.16. Initial consultation on Future Shoreditch was carried out in early 2017 along with further stakeholder engagement. Consultation on the Issues and Options document was undertaken from January to February 2018. The results of this consultation informed the preparation of the draft Plan, which was subject to consultation from April to June 2019. The feedback from this consultation will help shape the final draft plan (Proposed Submission Version). The timeline for finalising the AAP will be set out in the new Local Development Scheme, scheduled for Cabinet in early 2023.

Implementation of Hackney's CIL

- 3.17. The Community Infrastructure Levy seeks to fund objectively-assessed strategic infrastructure needs as laid out in the Infrastructure Development Plan. The IDP supports Hackney's growth and development as envisioned in the Local Plan. The evidence base used for the Local Plan (LP33) and IDP is the same used to inform the development of the Levy.
- 3.18. The CIL sets out a floorspace-based charge on new floorspace in developments of over 100sqm, with charges varying for different uses in different areas (for example, £190/sqm on new residential in zone A).
- 3.19. Planning Contributions SPD (S106), July 2020, sets out the Council's policy for securing Planning Contributions from new developments that require planning permission. The SPD details the Council's approach in securing Planning Contributions and how it will be implemented alongside the CIL. It also provides clarity to developers, development management officers, stakeholders and local residents regarding the basis on which Planning Contributions will be sought.

Sustainability SPD

- 3.20. The existing Sustainable Design and Construction SPD (2016) provides guidance on how sustainable design measures should be embedded into developments in Hackney. This will be revised to ensure that applications provide well designed buildings with sustainability measures incorporated up-front that will provide carbon and financial benefits throughout the lifetime of the building, taking account of emerging and more recent guidance such as Part L and Part F of the Building Regulations. This will build upon the work

coming forward in the Low Carbon Action Plan being developed in collaboration with London Boroughs, London Councils and the GLA. The timeline for updating the SPD will be confirmed in the revised Local Development Scheme, scheduled for Cabinet in early 2023.

Alterations and Extensions SPD

- 3.21. The existing Residential Extensions and Alterations SPD (2009) will be revised to provide guidance on how the borough's building stock can be extended or altered in the most appropriate manner based on an analysis of the existing townscape and built character within the Borough. It will continue to provide guidance for buildings of a residential typology including those in which may have been originally in residential use but have been or are being converted into non-residential uses (e.g. community uses, places of worship, office etc). The SPD will also include guidance on disabled accessibility and cycle storage and most recurring alterations to commercial buildings such as roof extension, plant, flues and shopfront design. The timeline for updating the SPD will be confirmed in the revised Local Development Scheme, scheduled for Cabinet in early 2023.

Planning Contribution SPD

- 3.22. This SPD (adopted in 2020) and sets out Council's approach to securing Planning Contributions and other non-financial obligations from new developments that require planning permission. The SPD will be reviewed to update the rate for carbon offsetting. The timeline for producing this SPD will be confirmed in the revised Local Development Scheme, scheduled for Cabinet in early 2023.

Hackney Central and Surrounds Supplementary Planning Document

- 3.23. The Hackney Central and Surrounds SPD seeks to deliver the objectives and aspirations set out in the Hackney Central Area Action Plan (AAP). The AAP, which was adopted in 2012, sets out a strategy for coordinated development and design in Hackney Central, to ensure that any changes reflect local aspirations for the future of the area.
- 3.24. The masterplan builds on this framework and sets out how these objectives and aspirations can be delivered in today's context and identifies a series of improvements including the refurbishment and/or redevelopment of key sites together with public realm enhancements. The delivery of these objectives and aspirations will help facilitate socioeconomic growth, environmental improvements and significant regeneration in and around Hackney Central and beyond.
- 3.25. Hackney Central and Surrounds Masterplan was adopted on 19 June 2017. The timeline for reviewing the SPD will be confirmed in the revised Local Development Scheme, scheduled for Cabinet in early 2023.

Dalston Plan SPD

- 3.26. This SPD will provide more detailed guidance for the development of allocated sites throughout Dalston town centre. It will also provide a strategy for wider physical improvements to the public realm and links to the emerging economic regeneration strategy for Dalston and will take account of the potential introduction of a new Crossrail 2 station. There has already been a significant level of public consultation on the future of Dalston which will continue to be built on to inform the development of the SPD. The timeline for finalising and adopting the SPD will be set out in the new Local Development Scheme, scheduled for Cabinet in early 2023.

Clapton SPD

- 3.27. This SPD will provide guidance for the development of the Lea Bridge Roundabout and surrounding sites. An opportunity exists to redevelop a number of strategic sites in the Clapton area around the Lea Bridge roundabout to create a better public realm, healthy streets and improve air quality. Under-utilised land could also offer longer term opportunities for development and investment and provide new housing. Hackney's recent Characterisation Study identified Lea Bridge Roundabout in need of 'fundamental intervention which transforms the junction into a new town centre for Clapton'. The project will involve working with Transport for London and other stakeholders on the preparation of evidence base documents and ultimately a supplementary planning document to unlock development potential and deliver new homes. The timeline for producing this SPD will be confirmed in the revised Local Development Scheme, scheduled for Cabinet in early 2023.

Homerton SPD

- 3.28. The SPD aims to improve the local environment and reinstate a civic heart centred around key landmarks including St Barnabas' church. The SPD will aim to enhance the public realm through improving the high street and reactivating frontages, as well as intensifying and reinforcing walking and cycling links. The SPD will also review the existing connectivity in the area, with an aim to improve linkages and wayfinding between Chatsworth Road, Homerton station and Well Street. The timeline for producing this SPD will be confirmed in the revised Local Development Scheme, scheduled for Cabinet in early 2023.

Neighbourhood Planning

- 3.29. Neighbourhood Plans can be produced by designated Neighbourhood Forums for designated Neighbourhood Areas. There is only one designated Neighbourhood Forum in Hackney as the Chatsworth Road Forum designation has now lapsed. There are 4 remaining designated Neighbourhood Areas in Hackney. The most recent designation was in the Autumn of 2018 when the Finsbury Park and Stroud Green Neighbourhood Area and Forum was designated by Hackney, Haringey and Islington Councils. Neighbourhood Plans need to be in conformity with the Council's Local Plan policies, and regional and national planning policies. A more detailed update on Neighbourhood Planning is provided in section 4 of this report.

Article 4 Directions

- 3.30. In 2020 the Government made several changes to the GPDO and the Use Classes Order, which have had a significant effect on existing Article 4 Directions. One of the most significant was the amalgamation of several different use classes⁵ into a single new 'E' (commercial, business and services) use, and the creation of permitted development right class MA which allowed uses within use class E to change to residential without the need for planning permission.
- 3.31. Several existing Directions fell away as a result of the changes to the use class order, and the permitted development rights:

<u>Office to residential</u>	Made July 2015. with effect from 15.09.16
<u>Light Industrial to residential</u>	Made May 2017. with effect from 14.05.18
<u>Flexible town centre uses</u>	Made September 2016
<u>Retail to Residential</u>	Made July 2015. with effect from 15.09.16

- 3.32. As of 1st August 2022 the following Article 4 Directions are still in effect:

- Laundrette to residential
- Storage and distribution to residential use
- The Chesham Arms Public House, 15 Mehetabel Road, London E9 6DU
- St Marks Conservation Area
- De Beauvoir Conservation Area
- Shacklewell Green Conservation Area

- 3.33. The following Article 4 Directions have been prepared:

Article 4 Directions - Central Activities Zone, City Fringe, Town and Local Centres

To respond to changes to the planning use classes, and a permitted development right allowing new use class E (Commercial, Business and Services) to change to class C3 (residential) we will be preparing 2 A4Ds for CAZ and major centres and one for; District and local centres. This will allow the implementation of policies in the Local Plan, other potential plans for the area, site allocations, town centre strategies, and economic / employment strategy. The A4Ds are expected to be confirmed in Spring 2023.

⁵ The Government in 2020 amalgamated several different use classes, Class A1-A3 (retail), Class B1 (offices, research and development and light industrial) and some Class D (leisure and community) into a new Class E (commercial, business and services).

Article 4 Directions - Designated industrial areas

To respond to changes to the planning use classes, and permitted development rights allowing new use class E (Commercial , Business and Services) to change to class C3 (residential). This will allow the implementation of policies in the Local Plan. It will replace the office to residential (where they relate to the PIAs), and the light industrial to residential A4Ds which have fallen away as a result of the changes to the use class order, and the permitted development rights. Expected to be confirmed in Summer 2023.

4. Neighbourhood Planning

Neighbourhood Planning

- 4.1. Neighbourhood planning was introduced by the Localism Act 2011. The Government also introduced guidance on submitting Neighbourhood Area and Forum applications in the Neighbourhood Planning (General) Regulations, in 2012 and 2016. Through the Localism Act, local communities have the power to influence the future of the places they live by preparing Neighbourhood Plans. Neighbourhood Plans are led and prepared by the community. The Council has a statutory role to provide advice and support to those producing a plan.

Hackney's designated Neighbourhood Areas and Forums

- 4.2. There are four designated neighbourhood areas and one forum. The Finsbury Park and Stroud Green Neighbourhood Area and Forum designated in 2018 is the only forum active in the borough. Three other areas have been designated but the forums have since expired:
- Central Stamford Hill Neighbourhood Area - designated July 2013
 - Queen Elizabeth Lordship Neighbourhood Area - designated January 2015
 - East Shoreditch Neighbourhood Area - designated February 2015

Central Stamford Hill Neighbourhood Area

- 4.3. The Council designated the Central Stamford Hill Neighbourhood Area in July 2013 and resolved to deliver a fully inclusive Area Action Plan for Stamford Hill, led by the Council. The Stamford Hill Neighbourhood Area designation remains in place and the area had been incorporated into the boundary of the action area. See chapter 3 (above) for an update on the Stamford Hill AAP.

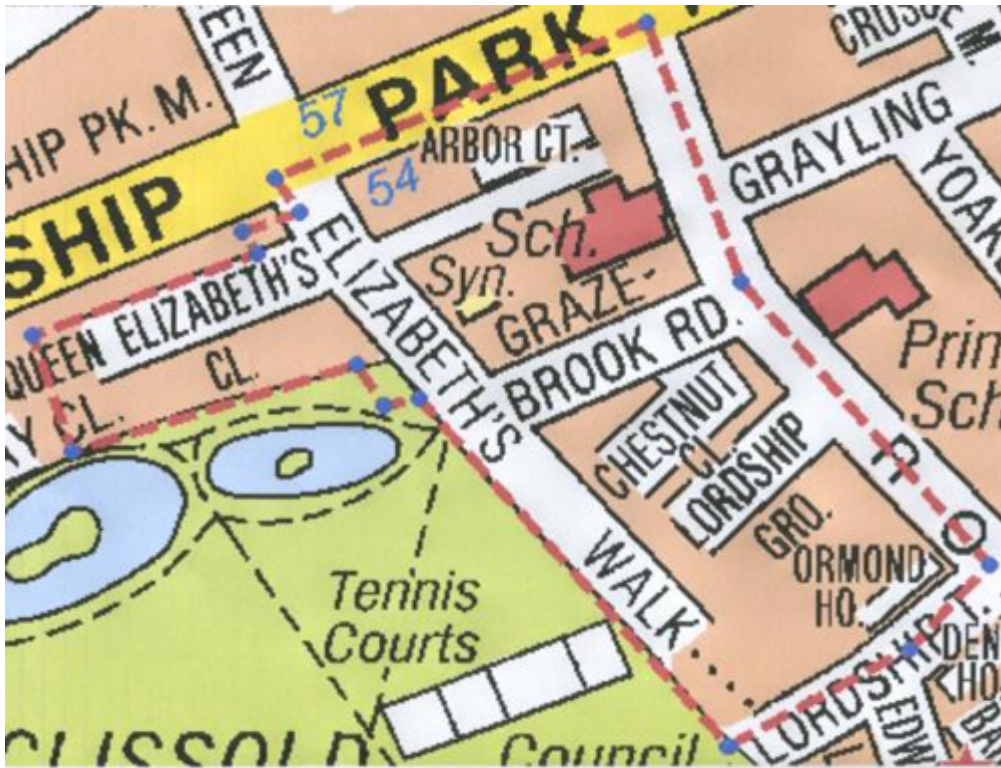


Figure 4.2: Queen Elizabeth/Lordship Park Neighbourhood Area

East Shoreditch Neighbourhood Area and Forum applications

- 4.5. The East Shoreditch Neighbourhood Forum submitted a Cross Borough Tower Hamlets /Hackney application for a neighbourhood area and forum, which was considered by the Hackney Cabinet in February 2015. The submitted area was focused on the Boundary Estate, but also included the east side of Shoreditch High Street including key business locations. Tower Hamlets Cabinet approved both the area and forum applications for their part of the proposed area.
- 4.6. Hackney Cabinet redrew the boundary and designated a smaller neighbourhood area boundary centred on the Hackney section of Calvert Avenue and St Leonards Church. The accompanying application for an East Shoreditch Neighbourhood Forum was refused. The Council was concerned regarding the makeup of the group as the proposed forum was primarily drawn from the residential areas located within the Tower Hamlets boundary, which under-represented the business interests in Hackney. Hackney Cabinet resolved instead to start work on a Shoreditch Area Action Plan (see update on Future Shoreditch – Area Action Plan).
- 4.7. The Shoreditch Area Action Plan is progressing well and has completed public consultation on a draft plan during the summer of 2019. See chapter 3 (above) for an update on the Shoreditch AAP.

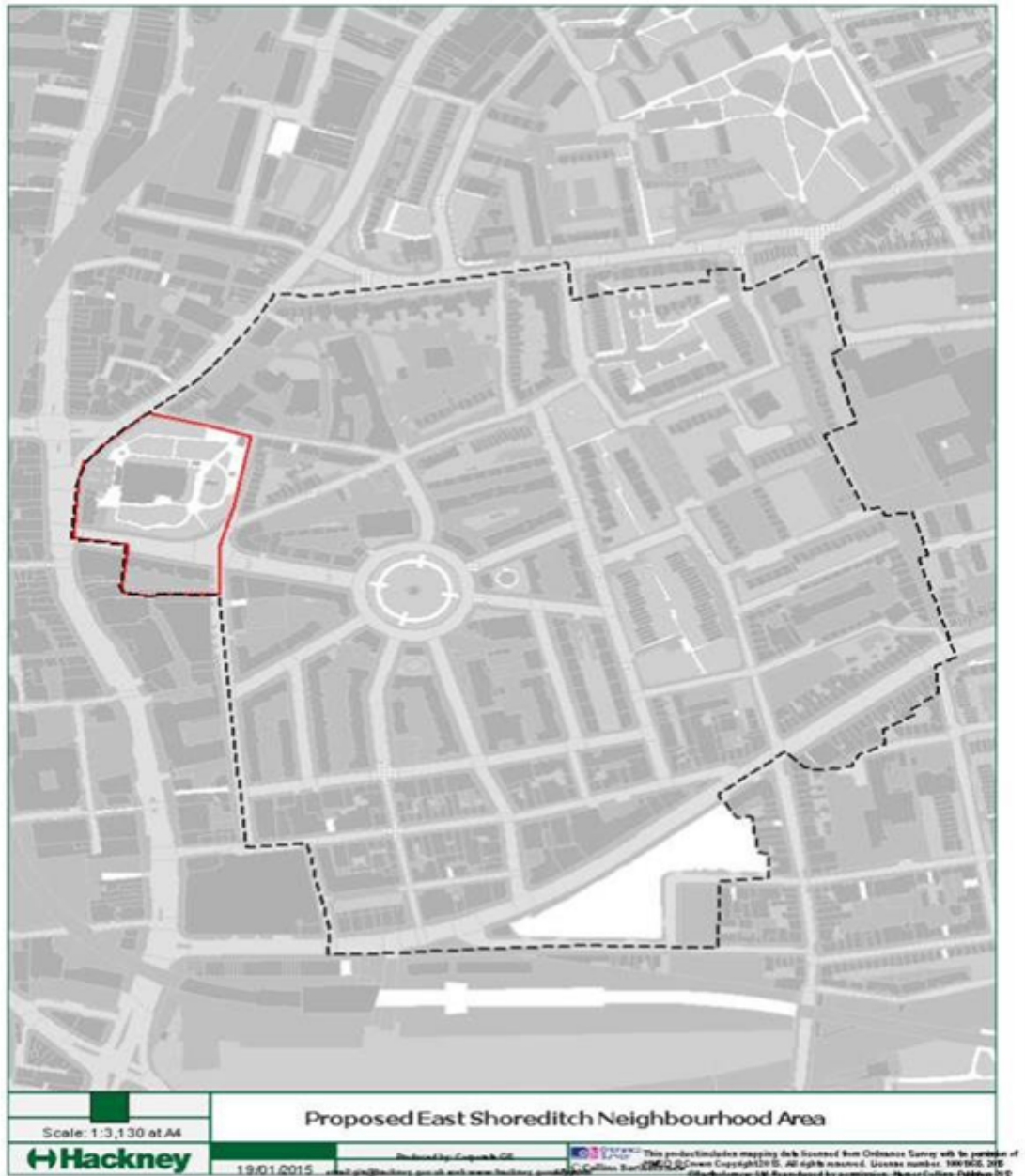


Figure 4.3: East Shoreditch Neighbourhood Area (area outlined in red)

Finsbury Park and Stroud Green Neighbourhood Forum and Area

- 4.8. The Finsbury Park and Stroud Green Neighbourhood Forum and Area was designated by Haringey, Hackney and Islington in the Autumn of 2018. The area straddles the borough boundaries of the three boroughs, making it a tri-borough application. Islington is the Lead Borough but Officers from all three councils worked closely to coordinate the processing of the two applications, including public consultation, and to synchronise the formal decision making processes in the three boroughs. Each of the three local authorities can make a decision only in respect of their part of the Neighbourhood Area.
- 4.9. Only a small section of the neighbourhood area is within Hackney. The area within Hackney mainly comprises residential streets bounded by Blackstock

Road and a small section of Seven Sisters Road. The area follows the Brownswood Ward boundary, but excludes the adjacent Stoke Newington Filter beds Conservation Area and Kings Crescent estate.

4.10. The area contains the following Local Plan designations:

- Finsbury Park District Centre The corner of Blackstock Road and a small section of Seven Sisters Road is designated as a District Town Centre in Hackney's adopted Local Plan LP33.



Figure 4.4: Finsbury Park and Stroud Green Neighbourhood Area

4.11. The Finsbury Park Town Centre is an area in need of significant regeneration and improvement. The area has a number of strong attributes, including the nearby asset of a large open space (the Grade II listed Finsbury Park), excellent and improving transport links, a vibrant entrepreneurial local community and an attractive although degraded built heritage. However, the area faces a number of challenges. Finsbury Park is one of the most deprived areas in the country, and the layout and functioning of the area is severely constrained by transport infrastructure which creates a disjointed and unattractive area lacking a real centre or heart.

4.12. Islington, Haringey and Hackney Councils share a long standing ambition to improve the area. The three boroughs have worked closely together since 2012 when the Finsbury Park Accord, a tri-borough agreement to establish the terms of cross-borough delivery of strategic policy, planning and public services in the Finsbury Park area was signed.

- 4.13. A tri-borough SPD for the Finsbury Park Town Centre was jointly prepared by the three local authorities and was adopted by all three boroughs during 2013/2014.
- 4.14. In 2022 Finsbury Park and Stroud Green was selected as one of twenty five councils or neighbourhood groups to take part in the government's Design Code Pathfinders project with allocated grant funding. In the next year the group will work with the government's Office for Place to develop a design code for Finsbury Park and Stroud Green. This will set detailed requirements for development in the area.

5. Housing

- 5.1. Housing forms a central element of the Council's planning policies, with the principle aim of ensuring that the housing needs and aspirations of Hackney's current and future residents are met in a way that is sustainable.
- 5.2. The borough faces extremely high demands for housing, with the most recent Market Assessment Addendum indicating the need to build 1,758 new homes each year to meet the needs of a growing population. Planning policies aim to achieve this target, while ensuring that new homes are of the correct size, tenure and above all quality to meet the needs of residents.
- 5.3. Following adoption of LP33 in July 2020, the Council's new housing target is now 1,330 homes/annum as set out in the new London Plan which came into effect on 2nd March 2021.
- 5.4. The housing section reports on the net completions of housing for the period 1st April 2020 to 31 March 2021, and put in the context of previous deliveries. It separates delivery by conventional and non conventional housing, and breaks the former by tenure and locations.

Net additional dwellings delivered over the last 5 years (FY2016-20)

- 5.5. As a raw measure of policy effectiveness, net housing delivery over the last 5 years has totalled 6,452 units, an average of 1,290 per year. The total number of housing delivered in FY2020/21 was up from the previous year. The net conventional housing was slightly less than the previous reporting year at 919 compared to 969 in FY2019, however the number of affordable units provided increased from 139 to 195, including a significant increase in social rented housing which is the most affordable form of self contained housing.

Tenure	FY2016	FY2017	FY2018	FY2019	FY2020	Total
Affordable Rent	63	36	10	31	0	140
Social Rented	20	97	15	1	128	261
Intermediate	147	128	119	107	67	592
Market	944	890	1377	830	724	4800
<i>Non-conventional supply</i>	-6	72	334	130	188	718
Total	1168	1223	1855	1099	1107	6452
London Plan Target	1599	1599	1599	1330	1330	

Table 5.1: Housing Delivery in Hackney FY2016/17 - FY2020/21

- 5.6. The omission of the returns for FY2015 will affect the total 5 year returns because housing supply in that year was 2,498 which is more than double the

annual delivery in most years. Of the 2,498, 1,223 were conventional housing and 1,029 units were non conventional housing, therefore, the number of 'conventional' housing delivered would not be as significant as first appears. The number of non-conventional housing which forms part of the overall housing completions has fallen in subsequent years, and made up 188 of the 1107 total housing provided in FY2020/21.

- 5.7. In line with the London Plan, Hackney seeks the maximum reasonable amount of affordable provision in developments, with policy current set at a target 50% affordable housing on conventional developments over 10 units through policies DM21 of the DMLP and 20 of the Core Strategy, and carried forward into policy LP13 of the Hackney Local Plan 2033.

Tenure breakdown

- 5.8. As a proportion of conventional developments, 16.9% 969 units were affordable over the last 5 years. Of this:
- 26.9% or 261 units were for social rented
 - 58.6% or 568 units were intermediate
 - 14.5% or 140 units were Affordable Rent
- 5.9. The 16.9% affordable housing achieved for this period (FY2016/17-FY2020/21) is up on the 16.2% achieved over the last 5 year period, FY15/19. The social rented element of the total affordable housing supply has increased from 22.2% to 26.9%.

Conventional Housing Delivered between FY2016/17 and FY2020/21

Tenure	Total 2014 - 2018	%	Total 2015-2019	%	Total 2016- 2020	%
Affordable Rent	350	5.2	185	2.9	140	2.5
Social Rented	41	0.6	227	3.6	261	4.6
Intermediate	722	10.9	608	9.7	568	9.9
Market	5518	83.2	5264	83.8	4765	83.0
Total	6631	100	6284	100	5734	100

Table 5.2: Conventional Housing Delivery FY2016/17-FY2020/21

- 5.10. Looking at FY2020/21, the total number of conventional housing units delivered was 919 units of which 195 units, or 21.2 %, was affordable. This is above the 14% (139 units) delivered in FY2019. Of this,
- 34.4% or 67 units, were intermediate
 - 65.6% or 128 units were social rented.
 - No affordable rent units were delivered
- 5.11. On-site affordable units were delivered on 7 schemes with 5 of the 7 having an element of social rent. The split between social and intermediate affordable housing exceeds the 60:40 split as set out in policy LP13 'affordable housing' of LP33. The schemes that were completed in FY2020/21 were granted planning permission between 2011 and 2018.

5.12. The 7 schemes that did provide on site affordable housing provided 429 units of which 245 were affordable, which equates to 57%.

Large Schemes (7) completed in FY2020/21 which provided on site affordable housing.

Ref	Site	Ward	Proposed housing	Affordable Housing	AH %	Social Rent	Intermediate	Affordable Rent
2016/3600	Ion House, 1-3 Sheep Lane E8 4QS	QUEENSBRIDGE	40	7	17.5	0	7	0
2016/1348	Lyttleton House, Well Street E9 7NN	VICTORIA	25	15	60	0	15	0
2016/3602	211-227 Hackney Road E2 8NA	HAGGERSTON	83	17	20.48	5	12	0
2016/1347	Former Frampton Park Arms, 47 Well Street E9 7NU	VICTORIA	20	20	100	10	10	0
2012/2915	1-64 St Leonard's Court, New North Road, N1 6JA	HOXTON	72	29	40.28	18	11	0
2017/0779	The Lawns, Matthias Road N16 8QD	CLISSOLD	72	40	55.56	28	12	0
2010/2460	KSS5 Woodberry Down, Seven Sisters Road	NEW RIVER	117	117	100	117	0	0
Total			429	245⁶	57.11%	178	67	0

Table 5.3 Large scheme completed in FY2020/21 with on site affordable housing

5.13. Of the 5 larger schemes completed in FY2020/2021 which did not provide on site affordable housing, two⁷ provided affordable housing contribution in lieu. The other three completions are all located in the Priority Employment Areas, 2 of which delivered a significant amount of commercial space including affordable workspace, the other demonstrated that no affordable housing could be viability delivered.

Unit size breakdown on completed schemes

5.14. A breakdown of unit sizes for affordable figures for 2020 shows 40% of 1 bed, 37.6% of 2 bed and 22.5% of 3+ bed.

⁶ The 245 AH was adjusted down to 195 net to account for the loss of 50 social rented units (bedsits) on the 1-64 St Leonard's Court development.

⁷ 2016/2207 Former Kingsland Road Fire Station, and 2016/0300 New Regent's College, Nile Street

Affordable Housing by Unit Size

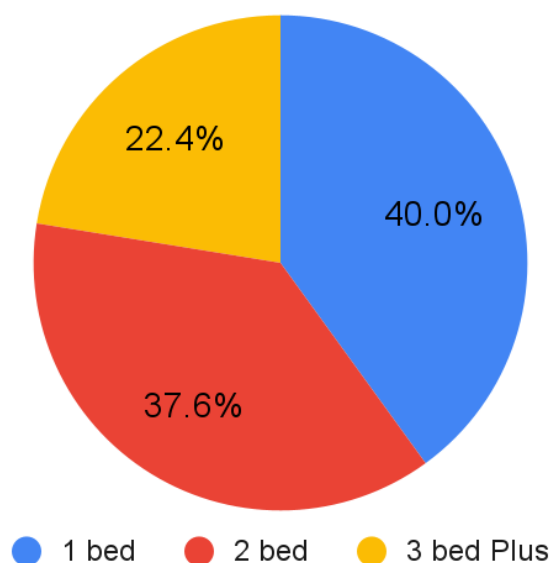


Fig 5.1: Affordable Units by size FY2020/21

Non-self contained accommodation

5.15. Non-self-contained housing refers to student housing, hostels, houses in multiple occupation and housing for older people⁸ and accounts for 16.9% of all housing completed in FY2020/21, or 11% over the last 5 years. LP33 has adopted a new policy approach which prioritises self-contained housing supply over other forms of accommodation.

Delivery by Ward & Place

5.16. Local Plan policy LP12 sets out that Housing growth is planned to take place in and around Shoreditch, in the north of the Borough at Woodberry Down/Stamford Hill, around Dalston and Hackney Central, and along the Borough's Enhanced Corridors

5.17. The spatial distribution of the conventional housing completions for FY2020/21 are shown below.

LP33 Place Policy Area	Wards	Number of schemes	Proposed no of residential	Net Gain
Dalston	Dalston	6	12	5
	Stoke Newington	5	9	3
	Clissold	4	78	35

⁸ Excludes sheltered housing which is included in the conventional housing figures

	Shacklewell	2	4	2
	Sub total	17	103	45
Hackney Central	Hackney Central	7	14	5
	Hackney Downs	6	10	5
	London Fields	3	43	42
	Sub total	16	67	52
Stamford Hill	Cazenove	4	13	5
	Springfield	4	14	11
	Sub total	8	27	16
Hackney Wick	Hackney Wick	3	11	10
	Victoria	10	82	74
	Sub total	13	93	84
Clapton and Lea Bridge	Leabridge	9	29	11
	Sub total	9	29	11
Shoreditch and Hoxton	De Beauvoir	3	73	71
	Hoxton East & Shoreditch	4	14	7
	Hoxton West	4	290	224
	Haggerston	6	286	286
	Sub total	17	663	588
Manor House	Woodberry Down	3	123	122
	Sub total	3	123	122
Homerton	Homerton	1	1	1
	Sub total	1	1	1
	Total	84	1106	919

Table 5.4: Conventional Housing Delivery by Ward FY2020/21

Housing net gain by area

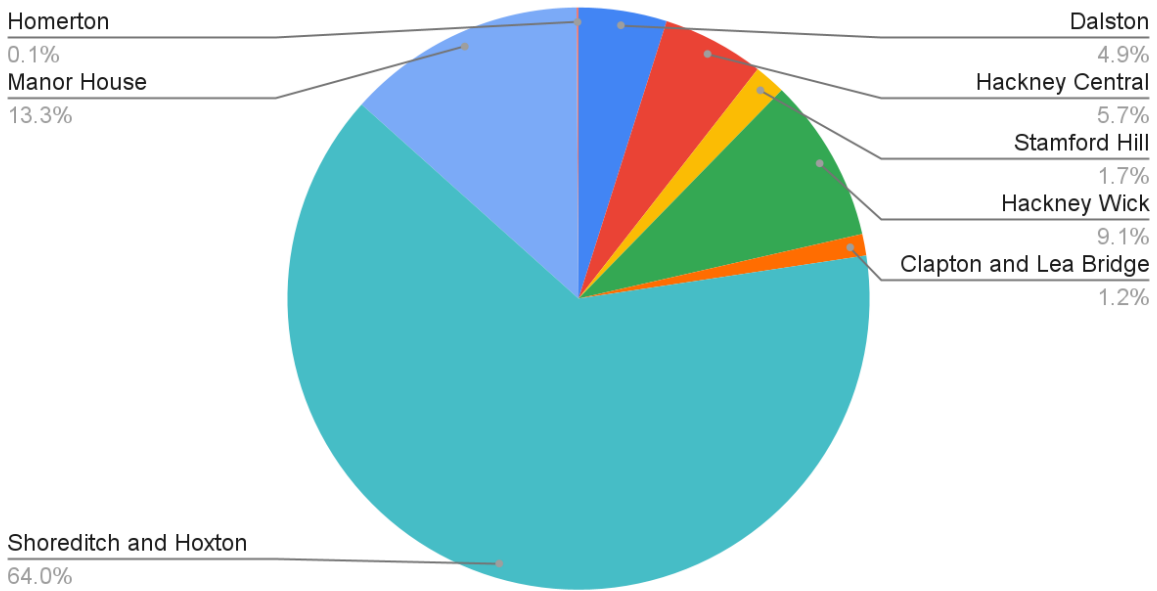


Figure 5.2: Housing Delivery net gain by Place Area

- 5.18. Shoreditch and Hoxton represent the largest growth area with a 64% share of the total new conventional housing in 2020, up from the 57.6% last year.

Small site completions

- 5.19. In FY2020/21, the proportion of new conventional housing coming from sites of 9 units or fewer was 13.6%, almost half that of FY2019. The contribution from smaller sites is below the average achieved over the last 5 years, and shows that most of the housing delivered were from a few larger sites. In FY2020/21, 480 of the 919 net conventional housing completed came from three sites. These were the schemes at 97-137 Hackney Road (2015/3455), KSS5 Woodberry Down (2010/2460) and New Regent's College, Nile Street (2016/0300).

Completed Financial Year	Total Units	Small sites <10 units	Small sites % <10 units
FY2016	1174	313	26.66%
FY2017	1151	367	31.88%
FY2018	1521	174	11.74%
FY2019	969	208	21.46%
FY2020	919	125	13.60%
Total 2016 - 20	5734	1187	Average 20.70%

Table 5.5: Delivery of housing from sites under 10 units FY2016/17 - FY2020/21

Small Sites approvals delivered in FY2020/21

5.20. Over the last five years, approximately 90% of all planning applications completed were for small sites, reflecting the scale of such sites within a tight and dense network of streets found over much of the borough.

	Total Number of applications completed in Year	Number of applications for small sites	Small sites %
FY2016	196	181	92.35%
FY2017	182	168	92.31%
FY2018	128	106	82.81%
FY2019	166	148	89.15%
FY2020	84	72	85.71%
Total 16-20	756	675	89.2%

Table 5.6: Approvals Completed FY2016 - FY 2020

Number of schemes involving housing completed

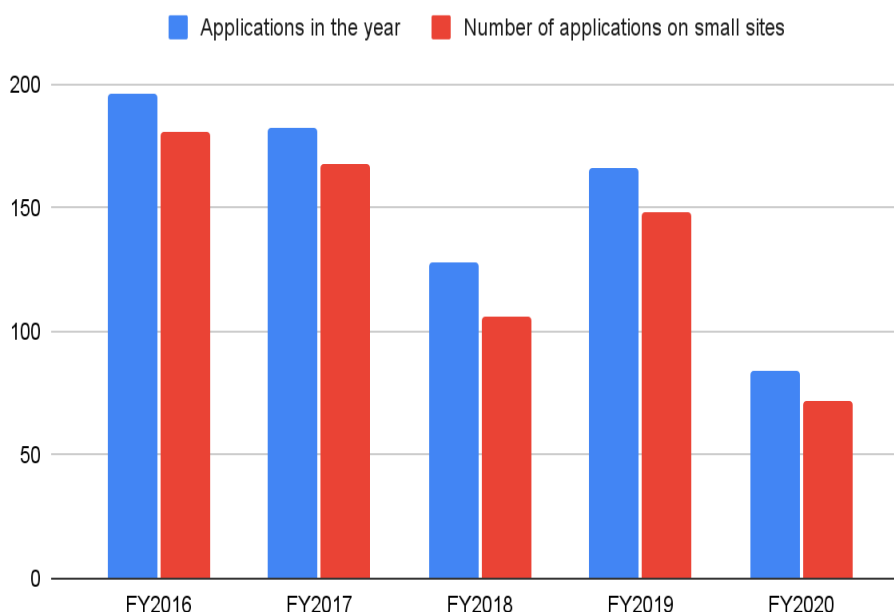


Figure 5.3 Approvals completed FY2016-2020

Approvals: Major Schemes approved in FY2020/21

5.21. The Council approved 12⁹ major schemes in FY2020/21 proposing 988 units (gross). The biggest contribution to housing supply will be 584 units from Phase 3 of the Woodberry Down (2019/2514), and 160 flats from Marion

⁹ The Council's Major Team approved 24 applications in FY2020/21, but 12 were related to variations of conditions and other amendments that will not impact on the housing returns.

Court (2017/5024). There are also three other approvals which if implemented will deliver 50 plus residential units each in the forthcoming years.

- 5.22. 445 of the approved 988 residential units will be affordable, which equates to 45% and when delivered make a significant contribution to the supply of housing and affordable housing in particular. On site affordable housing will be delivered on 6 of the 12 approved schemes.

Major Schemes approved in FY 2020/21

Housing Approvals FY2020	No. Units (Gross)	Market	%	Affordable	%
Major scheme approvals	988	543	55%	445	45%

Table 5.7: Number of housing units on large schemes approved in FY2020/21

- 5.23. On site affordable housing will be delivered on 6 of the 12 approved schemes. Therefore there are 6 schemes where no affordable housing will be provided on site, and there are a number of factors for this:

- One approval (2018/1959 - Sir John & Lady Cohen Court) will provide £200,000 towards affordable housing.
- Three schemes (2018/2802 - Harvest House, 2018/2948 -2-16 Bayford Street and 2009/2842 - 87 Hertford Road) will provide affordable workspace in lieu of affordable housing. The housing number on these schemes are 27, 38 and 6 units respectively. Two of the sites are located in PEAs, while the Hertford Road development was an existing employment site and the redevelopment would provide a mixture of light/ general industrial and storage space along with 6 3 bed terrace houses.
- One approval (2019/1785 48 -76 Dalston Lane) is for the variation of condition to an existing permission, which will result in 2 additional residential units. The original application for a commercial and 44 residential units scheme granted in 2013 did not include affordable housing provision, as it was considered that the retention and refurbishment of a building of historic value and the delivery of much needed family sized housing was acceptable.
- One of the schemes (2019/1054 - French Place) will result in the loss of 28 residential flats which will be replaced by offices as part of an approval for the conversion of the residential units, and extension.

- 5.24. In addition, in FY2020/21, 121 co-living units were approved as part of a mixed use scheme which included around 4,800sqm of office space at 305a Kingsland Road (2019/2175), and financial contribution towards affordable housing.

Affordable Housing Financial Contributions:

- 5.25. In the FY2020/21 £6.37m was collected through S106 for affordable housing. The money was collected from two schemes; the Former Fire Station at 333 Kingsland Road (2016/2207), and the One Crown Place development (2015/0877). While the Council has granted planning permissions which if implemented will receive £350,000 towards affordable housing from smaller

sites¹⁰ (ie under 10 residential units). The contributions towards affordable housing from smaller developments will increase as the policy becomes more established within Hackney.

5.26. Since the adoption of LP33 (July 2020), and the S106 SPD, the Council has been able to seek affordable housing contributions from proposals comprising 10 or less housing units. Before this the Council could only seek affordable housing contributions either on site or payment in lieu for development of 10 residential units or more.

5.27. Since the adoption of LP33 (July 2020), and the S106 SPD, the Council has been able to seek affordable housing contributions from proposals comprising 10 or less housing units.

Housing Trajectory: Net Additional Dwellings in the next 15 Years (FY2018-FY2033)

5.28. Hackney is aiming to deliver 13,455 during the next 10 year period. This is above the 10 year London Plan target of 13,300. After that time, there is a tailing-off of delivery due to a lack of knowledge and detail of development beyond 10 years.

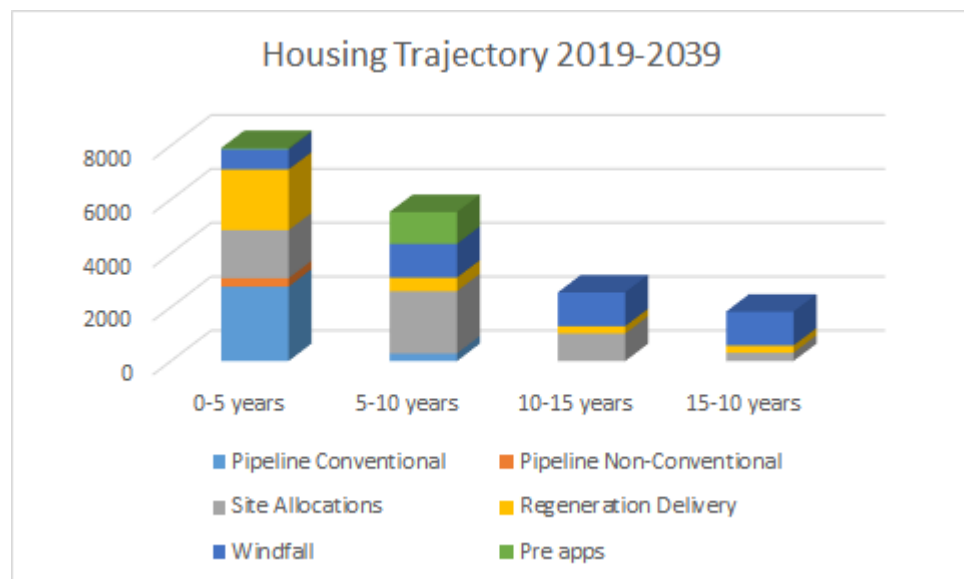


Figure 5.4: Housing Trajectory 2019-2039

5.29. The trajectory indicates that Hackney can demonstrate a 5-year land supply, as required by the NPPF. Overall, between 2019 and 2024 the borough will deliver a total of 7,917 homes. Delivery in the period is broken down in Figure 5.5:

¹⁰ 2020/1082 - Northside Studios, 16-29 Andrews Roads.

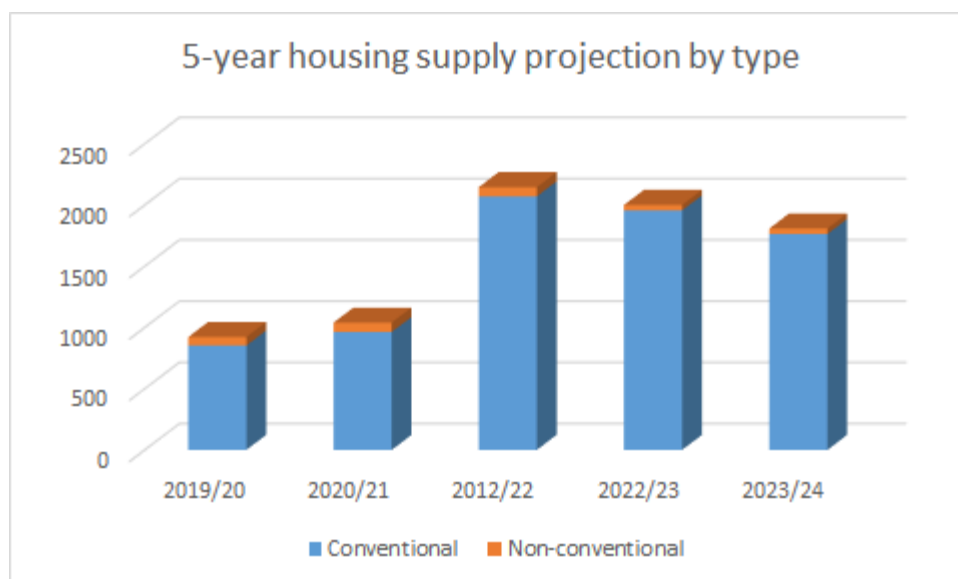


Figure 5.5: Trajectory for 2019-23 by type of housing

- 5.30. Conventional completions make up the bulk of new development coming forward. The predicted increase in delivery over years 3, 4 and 5 is due to larger schemes in the pipeline and site allocations lists being completed.
- 5.31. Overall, the 5 year housing trajectory shows a healthy level of overall growth going forward with the long term outlook providing a strong foundation for future housing development.

Housing Delivery Test

- 5.32. The table below shows Hackney's performance against DLUHC (formally MHCLG) Housing Delivery Test which monitors housing delivery performance within the local authority by taking the average over the last 3 years of housing completions.

Housing completions FY2018/19 - FY2020/21 including Non-conventional housing¹¹

	Housing Target	Homes Delivered (Conventional and non-conventional)	Of which non-conventional
2018/19	1,599	1,855	334
2019/20	1,330	1,099	130
2020/21	1,330	1,107	188
Total years	3	4,061	652

Table 5.7 : Hackney Housing Targets and Completions FY2018 -2020

¹¹ Non-conventional accommodation includes student accommodation and communal accommodation such as hotels and HMO. 2.5 student bedrooms are counted as the equivalent of 1 residential unit and 1.8 other communal bedrooms are counted as the equivalent of 1 residential unit.

- 5.33. Returns from the Government with the 2019/20 and 2020/21 housing targets adjusted to factored in the effect of the pandemic and lockdown shows that in terms of the Housing Delivery Test for Hackney, 96% of the government's target was delivered over the last 3 years. Housing Delivery Test returns 2021

Summary

- 5.34. Over the last 5 years, planning policy has led to the delivery of 86.5% of the borough's housing targets, providing a total of 6,452 units. Of this amount, approximately 969 affordable units have been delivered, which is 15% of all housing, or 17% of conventional housing only. In FY2020/21, affordable units accounted for 17.6% of all housing or 21.2% of conventional housing delivered.
- 5.35. The Council's new housing target is now 1,330 homes/annum following LP33's adoption in July 2020 and the new London Plan on 2nd March 2021. Housing need in Hackney, at 1,758 units per annum is higher than identified housing capacity in the Borough. The Local Plan 2033 sets out a growth strategy to address this gap. LP33 prioritises conventional housing, over other types of C use class, and to address affordability it continues to require 50% affordable housing subject to viability and sets out new policies including policies to secure affordable housing on small sites of less than 10 units.

6. Employment

Note: This year's AMR is limited in data analysis as a result of missing data due to the cyberattack in October 2020 and the transfer of data to a new IT system. Data on planning permissions approved between 25 June 2020 to 31 October 2020 is in the process of being recovered. The Council has been working with data scientists to retrieve this missing data and is also working collaboratively with the Greater London Authority and IDOX (owners of the cloud based planning system that the Council has migrated to for managing planning applications) to find alternative solutions to retrieve and report on this data.

The data presented in this report is the best assessment of performance of Local Plan policies and updates on planning-related activity and planning decisions over the past financial year using available data. The findings will be verified once all data is retrieved (anticipated to be by February 2023) and reported in the next AMR in June next year.

- 6.1. The amalgamation of several different planning use classes, into a new Class E (commercial, business and services) and changes to the permitted development rights, could potentially have significant impact on the character and appearance of the retail and commercial offer in the borough as a whole, and the vitality and viability of important employment areas and town centres in particular. Paragraph 3.30 - 3.33 above regarding Article 4 Directions sets out in more detail these changes, and the initiatives the Council is doing to address these changes.
- 6.2. For the FY2016/17 - FY2020/21, 48,584 sqm of non residential floorspace has been delivered in the borough. In FY2020/21 around 28,000 sqm of non residential floorspace including around 22,000sqm of office was delivered. The most significant floorspace came from the completion of 97-137 Hackney Road (2015/3455) which included 13,000sqm of Class E(g) former B1 floorspace as part of a mixed use development, and St Mark's House, 1 Shepherdess Walk (2014/2819) which provided an additional 4,386sqm of office floorspace.
- 6.3. Increasing employment is a key objective of the borough aimed at reducing poverty and increasing life chances. In addition, changes to employment floorspace can have significant impacts for business rates and spending in Hackney, contributing to economic prosperity. Planning policy aims for Hackney to be one of London's most competitive and affordable business destinations, with policy supporting the main growth areas to attract a distinctive mix of enterprises through providing a high quality environment around industrial locations and ensuring all employment areas offer high quality affordable units.
- 6.4. The general trend over the last three years is that within certain Priority Employment Areas (as defined in the replaced DMLP) the move is towards Class E(g)(i) former B1a floorspace, over other employment floorspace. In light of this, the PEA designation has been refined to Priority Office Areas, Priority Industrial Areas and Locally Significant Industrial Areas in the Local Plan 2033. This offers an opportunity to encourage the right kind of development based on the characteristics and nature of the defined employment area. Within POAs, employment led development is required

(with an emphasis on office delivery). Within PIAs, support mixed use development which safeguards industrial land/ floorspace but enables other uses to be introduced through redevelopment/ intensification.

- 6.5. Local Plan policy L27 seeks to protect areas of high levels of business floorspace in the Priority Office Areas (POAs), and seek to encourage increased provision of employment floorspace within these areas. The principle aim is to ensure these areas retain the benefits of agglomeration, such as supply chains/networks, collaboration and operation, without damaging residential amenity and continue to increase levels of employment across the borough.
- 6.6. In FY2020/21, non residential application data for schemes of over 400sqm show that the Council completed approximately 22,115sqm (net) of Class E(g) former B1 floorspace. 18,035sqm of which is from four schemes; 97-137 Hackney Road (2015/3455), 1A and 1C Shepherdess Walk (2014/2819), 1-3 Sheep Lane (2016/3600) and Mare Street Studios, 203-213 Mare Street (2016/2413).

Hackney's Industrial Floorspace (B2 and B8 Use Class)

- 6.7. In FY2020/21, there was a combined net loss of 858sqm of B2 and B8 floorspace from 2 applications. 13 Derby Road (2017/3452) and 164-170 Mare Street (2018/2389) both losing 455sqm and 403sqm respectively. Consequently there was an increase of B2 floorspace of 11sqm from 1 application 1-5 Rosina Street (2019/1807) for a coffee roastery to an ancillary Cafe.

Business in the Borough

- 6.8. Planning policy seeks to maintain and expand the supply of employment floorspace in Hackney through managing the release and provision of floorspace in new developments. The ultimate result is to enable businesses to grow and succeed, therefore employing local people and contributing to the boroughs economy. A measure of this success is the number of businesses in Hackney and how this has grown or shrunk year on year, as shown in the accompanying table, which uses the latest data available.

AREA	2016	2017	2018	2019	2020
Camden	27,370	29,440	30,960	32,255	34,035
Hackney	16,885	18,995	19,905	21,300	23,270
Islington	17,760	18,485	18,780	20,130	21,410
Tower Hamlets	15,765	16, 835	16,925	17,355	16,855
Inner London	250,165	264,905	209,220	275,530	279,340
Outer London	226,725	240,750	240,050	246,710	255,250

Table 6.1: ONS, Enterprises by Employment Size, FY2016-20

6.9. Table 6.1 shows that Hackney has been highly successful in growing the number of new businesses in the borough, with growth in the number, and importantly the rate of new enterprises – between 2016-20 Hackney gained an additional 6,385 enterprises, or a growth of 38% over the period, while the Inner London growth was 13% over the same period.

Affordable Workspace Provision

6.10. The Local Plan (LP33) builds on its set objective of supporting a mixed economy and maximising the supply of affordable and low cost industrial space by seeking that new developments in major commercial and mixed use development schemes provide 10% affordable workspace (Policy LP29).

6.11. In order to ensure that workspace is affordable for the larger community and end users, LP33 policy has determined that affordable workspace will be set at 40% of the market rate in the Shoreditch POA. In the remaining POAs, CAZ and town centres, the affordable rate will be at 60% of the market rent.

6.12. There is already a pipeline of schemes which are tied, via s106, into providing the workspace.

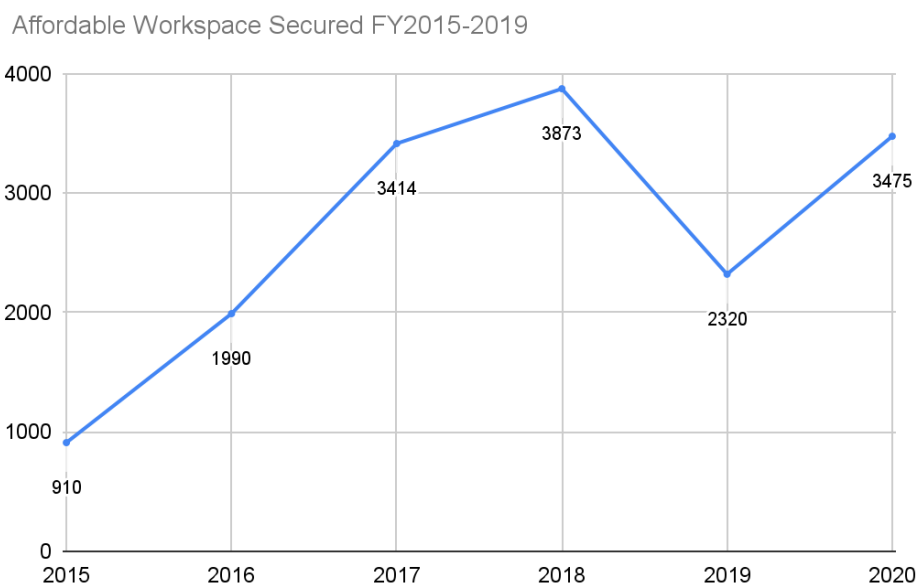


Figure 6.1: Affordable Workspace in sqm , FY2015-20 Hackney

6.13. For FY2020/21, 8 schemes were identified in the boroughs Infrastructure Funding Statement as securing non monetary obligations with regards to affordable workspace. 7 of the 8 applications identified secured in the region of 3,475 sqm of affordable workspace as compared to 2,320sqm from 6 schemes the previous year.. Though it is difficult to make a direct analysis with last year's results due to missing data on 1 of the applications, there is a significant amount of new employment floorspace in the pipeline which is likely to increase the amount of affordable floorspace provision in the borough going forward.

New Hotel and Hostel Rooms

- 6.14. Hotels (Class C1) form an important part of the supply of employment developments in the borough, both contributing to the economy but also more recently facilitating the tourism and entertainment industry in Hackney as well as short-stay for business clients and collaborators.
- 6.15. In December 2017, the GLA revised their supply and demand figures for visitor accommodation. The need figure, for Hackney, between 2015 and 2041 is 3,382 more units (hotels, hostels, etc.). Since December 2015, 866 hotel rooms have been completed. In FY2020/21, a 120 room hotel at 130 Kingsland High Street, and a scheme comprising a 140 room hotel and hostel catering for 35 individuals in housing need at 420-424 Seven Sisters Road were completed. An extension creating an additional 10 rooms to an existing hotel was also completed in 2020/21.

Summary

- 6.16. In FY2020/21 around 22,000sqm Class E(g) former B1 floorspace was completed in the borough and increase on approximately 17,400sqm from the previous reporting year FY2019. The most significant floorspace came from the completion of 97-137 Hackney Road (2015/3455) which included 13,000sqm of Class E(g) former B1 floorspace as part of a mixed use development, and St Mark's House, 1 Shepherdess Walk (2014/2819) which provided an additional 4,386sqm of office floorspace.
- 6.17. ONS data shows that there were 23,270 new businesses launched in Hackney in FY2020/21. This was an increase of 1,970 on the previous financial year (FY2019) which had 21,300 new businesses. The number of enterprises has increased by 38% over the period between 2016 and 2020, compared to 13% in inner London.
- 6.18. 7 of 8 applications delivered 3,475sqm of non-monetary affordable workspace in FY2020/21 as compared to 2,320sqm from 6 schemes in FY 2019. Shoreditch will continue to see a net gain of new Class E(g) former B1 floorspace significantly ahead of other POAs.
- 6.19. Hackney's Employment Land Study suggests a strong need for Class E(g)(i) former B1a office space (a minimum of 117,000sqm). The findings of this study also stress the need to ensure the retention of an adequate stock of industrial capacity to support a diverse, adaptable and more sustainable economy. In response to this evidence on employment needs, a more refined approach to the Council's employment policy has been taken in LP33. The borough's designations have been redefined to comprise of Priority Office Areas (POAs), Priority Industrial Areas (PIAs) and Locally Significant Industrial Sites (LSIS). Within POAs, employment led development is required (with an emphasis on office delivery). Within PIAs, support mixed use development which safeguards industrial land/ floorspace but enables other uses to be introduced through redevelopment/ intensification. LP33 also sets out an approach to secure more affordable workspace and better protect against the loss of industrial floorspace.

- 6.20. The Council's proposed Article 4 Directions protecting Class E to C3 in Hackney's designated industrial areas, the Central Activities Zone and designated town centres will further support the approach to protect commercial, business and service space in the borough. The Article 4 Directions will require commercial, services and businesses wishing to change to residential to apply for full planning permission to ensure that proposals are fully considered in terms of quality and standards of residential, impact on infrastructure, and there is a balance between retail, commercial, leisure, and residential in the borough's strategically and locally important commercial and employment areas.

7. Retail and Town Centres

- 7.1. Protecting Hackney's Town Centres is key to the continued growth and prosperity of the borough, especially in terms of supporting local amenities. The core objective is to support distinctive town centres and a vibrant town centre experience. Local Plan 2033 (LP33) policy LP33 sets out the overarching strategy, which focuses on developing Dalston and Hackney Town centres, while also setting out policies in LP32 which directs all new Commercial E(a) (Former A1) floorspace to town centres, supported by LP35 which prevents changes of use to Commercial E(a) (former A1) frontages in Town Centres that would result in the proportion of units falling below 50%. While retail is at the heart of town centre uses, other services, such as banks, employment agencies and law firms, as well as restaurants and cafes are also important.
- 7.2. In addition to these daily uses, there is also a need to plan for the night-time economy, with LP38 directing Restaurants and Cafes (former A3) now Class E(b)A3 (cafe or restaurants), former Class A4 (Drinking establishments) and A5 (Hot food takeaways) now defined as 'Sui Generis' uses to town centres to support this.
- 7.3. Hackney has a hierarchy of town centres, defined by the London Plan. These currently run from a London level major centre (Dalston and Hackney Central) to smaller district centres (Stoke Newington High Street, Stamford Hill and Finsbury Park) and finally some 16 local centres (for example, Broadway Market and Wick Road). The centres designation reflects their usage, i.e. Dalston supports significant big-brand retailers, while Upper Clapton road has some business use but is largely groceries and day-to-day amenities. LP33 support retail as the predominant land use at ground floor level in town centres, with different proportions set based upon the hierarchy of the centre¹².
- 7.4. In addition to the impact of employment policies, LP38, covering the night-time economy directs increases in A3 uses, as well as A4 and A5 uses to Town Centres. The biggest growth in leisure and experience retailing will be outside the designated town centres in particular in Shoreditch. Shoreditch is part of the Capital's Central Activity Zone, thus retail and commercial uses form an important component of the character and economy of the area.
- 7.5. In FY2020/21 7,527sqm of retail floorspace (former A1 - A3) were completed. The largest schemes completed with a significant proportion of retail floorspace was 97-137 Hackney Road (2015/3455), which included 3,500sqm of retail (shops, restaurants & cafe, and drinking establishment) and 420-424 Seven Sisters Road (2015/0844) with 706 sqm (shops and restaurants & cafes).

¹² 60% of A1 in the primary shopping frontages of Dalston and Hackney Central, 55% in the 3 district centres and 50% in the local shopping centres.

Town Centre

- 7.6. Applications completed in FY2020/21 continues the trend in the majority of growth of Shops, Restaurants/Cafes and Drinking Establishments (former A1/A2 and A3 activities) continuing to be focused outside of town centres, particularly in Shoreditch, with an overall growth in all use classes. Evidence supporting the development of LP33 demonstrated the need to consider the relationship between employment and town centre policies to ensure the objectives set out in the Local Plan focuses these uses in town centres.
- 7.7. The Local Plan 2033 and new London Plan - have upgraded Hackney Central to a Major centre and Stamford Hill to a district centre. This will strengthen the offering that these centres can provide to the community.

Proportion and Vacancy Rates in Town Centres

- 7.8. Hackney's designated town centres are performing well in terms of vibrancy and interest, with a broad range of shops. The latest surveys from 2021 showed that the borough's four Major and District centres had vacancy rates below or in line the national average (13.87%) for town centres ¹³.
- 7.9. The Council in 2016 made two Article 4 Directions to remove PD rights restricting change of use in the designated town centres. In line with the policies in LP33, these seek to manage balance between retail, and leisure / experience activities that are beneficial for the vitality and viability of the town centres. Following changes to the use class, and permitted development rights, these Directions would have lapsed 2021, and the Council in 2022 are in the process of creating new Directions, see paragraphs 3.30-3.33.

Entertainment and night time economy

- 7.10. Local Plan policy LP38 recognises the contribution of the Night-Time economy to the borough and aims for a managed expansion of uses, specifically in Dalston and Shoreditch.
- 7.11. Drinking establishments (Former A4 uses) form part of the night time economy alongside nightclubs (classed at Sui-generis). Traditionally, A4 use classes were independent bars and pubs, but increasingly they form part of mixed use schemes or flexible uses. This makes their monitoring challenging.
- 7.12. An important external factor affecting the night time economy are the Special Policy Areas (SPAs) for licensing. These areas, in Shoreditch and Dalston, limit the grant of licences for late night opening of bars and restaurants.
- 7.13. They have a double impact of both reducing the provision of these use within Dalston Town Centre and Shoreditch (which is not designated as a town centre) and overall provision in the borough. While SPAs are compatible with planning policy which, by conditions on an application can limit opening hours to maintain neighbour's amenity and impact on town centres, greater consideration may need to be given to the future strategy of directing these uses into town centres or areas covered by SPAs.

¹³ Experian Goad Town Centre Surveys and Reports for Dalston (12.9%), Hackney Central(13.9%), Stoke Newington High Street (9.7%) and Stamford Hill (4.0%) (June 2021).

- 7.14. Overall, all new drinking establishment floorspace has been delivered outside of existing town centres, much of which is in Shoreditch and the Central Activities Zone, and largely based around flexible consents and therefore its usage uncertain. Local Plan 2033 and Shoreditch Area Action Plan will seek to manage this growth effectively and diversify the night time economy.
- 7.15. Hot food takeaways uses are at a similarly low level, with a limited set of completions totalling 125sqm of floorspace for FY2020/21 (plus a proportion of flexible commercial floorspace allocated from another application 2010/2460). Policy LP39 requires that hot food takeaways are primarily situated in major, district and local shopping centres.

Summary

- 7.16. LP33 policies strengthen the requirements around A1 units within the major, district centres and local centres. Through LP33, Hackney Central has been reclassified as a major town centre, Stamford Hill a district centre and four new local shopping centres¹⁴ have been designated in the borough. In FY2020/21 7,527sqm of retail floorspace (former UCO A1 - A3) were completed.
- 7.17. It is important to note that outside of town centre designations there has been an increase of new retail space delivered between FY2017/18-FY2020/21.
- 7.18. Planning policies for the night time economy have had mixed results over the last five years. Dalston and Hackney Central have seen an increase in restaurants / cafes, as have some of the local centres including Kingsland Road, Lauriston Road and Stoke Newington Church Street.
- 7.19. Drinking establishments and Hot food takeaways share a low level of completions in FY2020/21 in keeping with the trend in FY2019/20. Within drinking establishments there has been a mixed picture across the town centres, although most of the designated centres saw no change at all. The greatest loss has been outside town centres.
- 7.20. The Local Plan sets out a strategy to protect retail in town centres and encourage a network of centres that are viable and attractive. The London Plan (2021) has reclassified Hackney Central as a major centre, and retail growth will be focused there and in the other major centre of Dalston. Additionally, Stamford Hill becomes a district centre through the new London Plan and LP33, and Green Lanes, Hackney Downs, Oldhill Street and Dunsmere Road will be designated as new local centres. Through emerging work on Future Shoreditch AAP, Stamford Hill APP, and masterplans on Dalston and Hackney Central etc, the Council seeks to guide and deliver the overall objectives of the Local Plan for these growth areas.

¹⁴ Green Lanes, Oldhill Street, Dunsmere Road and Hackney Downs Local Shopping Centres - designated through the Local Plan 2033.

8. Communities, Culture, Education & Health

- 8.1. One of the most important functions of planning policy is at the strategic level, supporting both the funding and development of new social, educational and health facilities to benefit the community.
- 8.2. Planning Obligations, or s106, and the Community Infrastructure Levy are mechanisms for deriving planning gain from developments which are used to mitigate the impact of development and support growth. Each type of planning gain is subject to restrictions stipulated in legislation.
- 8.3. S106 contributions apply to infrastructure which mitigates impacts *specific* to an *individual* development infrastructure needs arising from it and includes that development's contribution to affordable housing, affordable workspace, employment and skills, carbon offset and public realm/ transport improvements specific to an individual site.
- 8.4. It is used alongside the Community Infrastructure Levy (CIL) - a land charge applied to new development to pay for strategic infrastructure to mitigate the *cumulative* impacts of *all new* development across the borough and support borough-wide growth at the strategic level.
- 8.5. In accordance with Government regulations in December 2020 Hackney Council published its second Annual Infrastructure Funding Statement 2021 Community Infrastructure Levy and Section 106 ([Hackney IFS 2021](#)). The report covers the financial year 1st April 2020 - 31st March 2021 and provides information on the financial and non-financial contributions sought and received from developers for the provision of infrastructure to support development in Hackney, and the subsequent use of those contributions by London Borough of Hackney.
- 8.6. This chapter is a summary of the IFS, and highlights the amounts of s106 contributions received and agreed during the financial year of 2020 and also reports on the collection and spend of the Community Infrastructure Levy.

Planning Obligations

- 8.7. Planning obligations are set out in legal agreements signed between the developer and the Council under a number Acts including Section 106 of Town and Country Planning Act 1990. The planning obligations can be both financial and non financial but typically require a developer to fulfil a number of requirements to mitigate the impact of their development during construction and on completion.
- 8.8. The total of financial obligations agreed and received in 2020/21 (excluding Crossrail) are set out in the table below:

2020/21 Agreed	2020/21 Received	2020/21 Spent	Total money retained at the end of 2020/21 (excluding “commuted sums” for longer term maintenance but including £26.4M already committed to fund ongoing Section 106 projects)
£17,154,832.10	£11,660,628.10	£4,604,848.79	£56,878,327.22

Table 8.1: Financial obligations agreed and received in FY2020/21

- 8.9. The total amount of money retained at the end of the reported year is £56,878,327.22. No money has been retained for long term maintenance.
- 8.10. Of the above sum, approximately £26.2M has already been committed to fund ongoing Section 106 projects. Of the remaining, £16.3M is ring fenced for future delivery of affordable housing in the borough.
- 8.11. Appendix 1 of the [Infrastructure Funding Statement](#) provides a list of projects that have had funding allocated towards them in 2020/21 with unspent allocations.

Allocation of the S106 in 2020

- 8.12. The total amount of money from planning obligations allocated towards infrastructure during the reported year was £8,200,192.13. Of this amount £7,140,142.85 was not spent during the reported year due to the longer term nature of the projects on which it will be spent.
- 8.13. The total amount of money from planning obligations spent during the reported year was £4,604,848.79. No money was spent by a third party on behalf of Hackney Council. The list of items of infrastructure funded from planning obligations is included in Appendix 2.
- 8.14. The amount of planning obligation money spent on repaying money borrowed, including any interest was £0.00.
- 8.15. The amount of planning obligation money spent in respect of administration of planning obligations and monitoring in relation to the delivery of planning obligations during the reported year was £243,742.00.
- 8.16. The total amount of money retained at the end of the reported year was £56,878,327.22 No money has been retained for long term maintenance.
- 8.17. Of the above sum, approximately £26.2M has already been committed to fund ongoing Section 106 projects and £16.3M is ring-fenced for future delivery of affordable housing in the borough.

8.18. The sum allocated to community and education was £2,081,207.83 on initiatives as set out below:

S106 allocated for Community and Education projects

Project	Allocation date	Sum allocated	Sum remaining (at the end of FY 20/21)
Shoreditch Park Primary School Improvements	1/04/202	1,021,244.12	1,021,244.12
Library Refurbishment Programme	1/04/202	69,470.61	45,104.60
Phase 3B LSB Schools Facade	1/04/202	985,380	985,380
St Thomass Recreation Ground Shelter	1/9/2020	5,113.10	5,113.10

Table 8.2: Allocation of the S106 on Community and Education initiatives

8.19. In FY2020/21, £4,604,848.79 obtained through s106 was spent on 65 items of infrastructure. Details about individual items are available in Appendix 2 of Hackney's IFS 2020.

S106 Spent on Infrastructure Projects 2020

Infrastructure projects	Amount spent	Date(s) Spent
65	£4,604,848.79	01 March 2020 to 01 March 2021

Table 8.3: Allocation of the S106 on infrastructure projects FY2020/21

8.20. The S106 spend on community and education projects as identified above in FY2019 was £3,588,986.71.

8.21. The Council agreed 203 non-monetary obligations from schemes in FY2020/21, the details of individual applications are in Appendix 3 of the IFS 2021. The contributions cover a range of matters, across different services. These included but not limited to employment skills and local labour schemes, affordable housing.

8.22. In addition to monetary contributions, Section 106 agreements can include non-monetary obligations, including the requirement to provide affordable housing units as part of the development as set out in the Local Plan. The total number of affordable housing units to be provided through planning obligations agreed in 2020/21 is 349.

Hackney's Community Infrastructure Levy

8.23. The Community Infrastructure Levy (CIL) is a mechanism to allow local planning authorities to seek to raise funds from new development, in order to contribute to the cost of strategic infrastructure necessary to mitigate the cumulative impacts of all new development and support growth. Hackney adopted its CIL in April 2015. The CIL will directly contribute to the provision of new infrastructure to support growth and development across the borough. Hackney CIL income and expenditure in FY2020/21 is detailed in the tables below.

CIL FY2020/21

CIL collection and retention

CIL collected in 2020/21	£3,981,336.57
CIL collected prior to 1st April 2020	£28,849,056.10
CIL collected and allocated prior to 1st April 2020	£21,849,056.10
CIL (not including neighbourhood or administration receipts) collected before the reported year which have not been allocated	£3,518,916.34
NCIL receipts for the reported year retained at the end of the year	£210,837.45
NCIL receipts from previous years retained at the end of the reported year	£3,434,543.23

Table 8.4: Receipt and Expenditure FY2020/21

8.24. The total value from Liability Notices (the notice issued upon the grant of a planning permission) based on liable floorspace after any relief that has been granted is £13,113,181.76. The total value of surcharges imposed due to breaches of the Community Infrastructure Levy Regulations is £11,632.28.

8.25. The amount of CIL collected prior to 1st April 2020 is £28,849,056.10 and was all collected in cash. No land payments have been received. The total amount of CIL collected and allocated prior to 1st April 2020 was £21,849,056.10.

CIL Expenditure.

8.26. The total CIL expenditure recorded for the financial year 2020/21 is as follows:

Type	Allocated	Spent	Remaining
Admin CIL	£199,066.83	£199,066.83	£0.00
Neighbourhood CIL	£380,600.00	£146,907.00	£233,693
CIL Land Payments	£0.00	£0.00	£0.00
Strategic CIL	£5m	£5m	£0.00
Total	£5,579,666.83	£5,345,973.83	£233,693

Table 8.5: CIL Expenditure FY2020/21

Infrastructure on which Hackney CIL has been spent in 2020/21

Infrastructure Item	Amount	Description
Highways Maintenance	£3,933,229.34	highways maintenance works (borough-wide)
Parks Strategy Infrastructure	£670,569.15	The 2020/21 parks infrastructure strategy funded a range of facilities across the borough.
LED Lights on Highways	£396,201.51	LED lighting on highways (borough-wide).

Table 8.6: CIL Allocation on Infrastructure FY2020/21

8.27. Regarding CIL collected and allocated within the reported year that has not been spent to date, due to the timetable for the relevant projects, the summary is as follows:

Infrastructure	Allocated	Unspent	Date
Hackney Carnival 20/21	£200,000	£200,000	01/03/21
20/21 & 21/22 cultural activities	£180,600	£33,693	01/03/21

Table 8.7: CIL Allocation not spent in FY2020/21

- a) i) the amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, for the reported year and that had not been spent is £0.
- b) ii) the amount of CIL collected, not assigned for Neighbourhood CIL or CIL Administration, from 01 April 2015 to the end of the reported year that had not been spent is £1,709,748.72.

Mayoral CIL Receipts in FY2020/21

- 8.28. In addition to Hackney CIL, Hackney Council collects Mayoral CIL (MCIL) on behalf of the Mayor of London to assist with the funding of the Crossrail development. During the reported year, the total of £3,452,500.63 was collected.

Education Floorspace

- 8.29. In FY2020/21, 2 schools were delivered, New Regents College, Nile Street (2016/0300) and a 350 pupil primary school (2016/2207) on the Former Kingsland Fire Station site at 333 Kingsland Road, both of which were part of mixed use developments with residential. New Regents College has capacity for up to 250 pupils across an age range of 5-16 years, and the proposal is linked to another new school on Tiger Way (ref 2016/0307).
- 8.30. The April 2018 Childcare Sufficiency Audit found that overall the picture for childcare in Hackney is healthy. There are sufficient places to meet demand and the quality is good. This was still the overall conclusion for children requiring funded childcare places in a review of the local childcare market completed in March 2020, just before implications of the Covid-19 came into effect.

9. Transport

- 9.1. Local Plan LP33 policies aim to reduce car travel and promote healthier alternatives such as cycling, walking and the use of public transport. Planning works closely with transport planning to achieve these outcomes.
- 9.2. Hackney's Transport Strategy 2015-2025 encourages more walking, cycling and use of public transport for those who live, work and visit the borough and to continue to reduce the need for private car use. The Strategy supports the objectives set out in the Mayor of London's Transport Strategy 2018. The Hackney Local Implementation Plan (LIP) identifies how the Mayor of London's Transport Strategy will be implemented in the borough. The Third LIP (2019-22) was adopted by the Council on 25 March 2019. Both the Hackney's Transport Strategy and LIP are available at [Transport in Hackney](#)
- 9.3. The LIP sets out the borough's transport objectives, and targets around the themes of walking, cycling, public transport, road safety and livable neighbourhoods. It details how schemes and initiatives will be taken forward including source of funding. The monitoring section of the LIP will measure progress of projects, and other relevant TfL and local performance indicators and targets.
- 9.4. Residents in Hackney made an average of 431,000 trips each day between 2017/18 and 2019/20 by:
 - Car and motorcycle: 12.1%
 - Tube/DLR: 7.7%
 - National Rail and London Overground: 5.1%
 - Bus/Tram: 22.6%
 - Taxi/Other: 0.5%
 - Cycle: 8.9%
 - Walking: 43.2% ¹⁵
- 9.5. The Council is committed to upgrading its local transport network in order to facilitate higher levels of walking and cycling, promote better access to public transport, and make our streets and public spaces more attractive to live, work, visit and invest in.
- 9.6. The latest returns for the period 2017/18-2019/20 shows that car and motorcycle's share of trips has fallen from 12.7% to 12.1% with public transport's mode share changing little from 35.5% to 35.4%. Meanwhile active travel trips by walking or cycling have increased from 51.3% to 52.1% of trips undertaken by borough residents. The cycle mode share of 8.9% is comfortably the highest in London.
- 9.7. Hackney has one of the highest active, efficient and sustainable mode share,

¹⁵ The latest 3 year rolling average for mode share is not available at the borough level as the London Travel Demand Survey data collection was impacted by COVID and the data for 2020/21 is not robust enough to provide borough level estimates. So this data and the trend analysis in the following paragraphs cannot be updated this year.

approximately 88% of trips by borough residents being by modes other than the private car.

- 9.8 Some 22.6% of borough residents' trips in 2019/20 were by bus which is the largest such modal share in London although slightly lower than the 23.2% of trips seen in the years up to 2018/19. Hackney's underground/ DLR mode use share increased from 6.9% to 7.7%, while National Rail/Overground mode share decreased from 5.5% to 5.1%. The combined rail mode share of 12.8% is notably still much lower than the Inner London average of 19.2%
- 9.9 A general trend in London has been for falling car ownership levels per household with an overall 5.1% drop (from 63.5 to 58.4%) across the capital from the 2001 census. The fall across the Inner London boroughs has been even more pronounced with a 6.6% drop in car ownership levels to just over 43%. The trend is particularly acute in Hackney with the proportion of households without a car rising from 56% in 2001 to 65% by 2011, and up to 70% according to the latest information. This is one of the highest in London, and is comparable with Islington, Camden, Westminster and Tower Hamlets.¹⁶
- 9.10` The council's approach is to reduce the need to travel through the judicious use of land use planning and co-locating residential development, employment and essential services with public transport and high quality walking and cycling networks. This approach is summarised in the Hackney's Transport Strategy's Sustainable Transport SPD and the Local Plan.
- 9.11 The Hackney Transport Strategy sets out to create an environment whereby people actively choose to walk and cycle as part of everyday life, which can have a significant impact on public health and may also reduce inequalities in health. Increasing physical activity through active travel (walking and cycling) is also a key strand of the Mayors Transport Strategy, with a long-term target for 2041 of 70% of people reporting two periods of ten minutes spent walking or cycling on the previous day. Only 33% of Hackney residents were meeting this level of active travel exercise in the three years to 2019/20 - the second lowest in Inner London.

Walking and Cycling

- 9.12 According to the 2019/20 London Travel Demand Survey (LTDS) with all trips, seven-day walking mode share, Some 42.8% of trips ending or beginning in Hackney were by walking which is together with Camden is the highest level of walking trips in London and well above the Inner London average of 38.2%. This puts Hackney in a strong position to meet its local 40% walking share target by 2025.¹⁷
- 9.13 Transport policy and investment in Hackney is geared towards prioritising walking and cycling. Walking and cycling trips form a critical part of residents' journeys to work, school and shopping, but are key in their own right as a dominant mode of transport for our residents. The latest returns for the period between 2017-2020 show that active travel trips by walking or cycling have

¹⁶ Updated information on car ownership not expected until the end of calendar year 2022.

¹⁷ This is the latest available mode share information as TfL data collection for 2020/21 was scaled back because of Covid.

increased from 51.3% to 52.1% of trips undertaken by borough residents. The cycle mode share of 8.9% is comfortably the highest in London.

- 9.14 A particular focus of the borough is to encourage children to walk to school and the borough has set a 70% walking to school target (both primary and secondary) for 2025. While walking to school mode shares are now consistently above 60%, the mode share has fallen off slightly since the early part of the decade and is now in the low 60s. ¹⁸
- 9.15 Hackney has by far the highest levels of residents cycling to work in London, at 15.4% of all commuter journeys (based on the 2011 Census and taking into account those who do not work or work from home), the second highest borough is Islington at 10.1%, and is almost four times greater than the London average of 4.3%. Nationally, only Cambridge (31.9%), Oxford (18.7%), and the Isles of Scilly (18.4%) have higher rates of cycling to work.¹⁹
- 9.16 It should be noted that because of the lag in collecting data, nearly all of these figures pre-date the outbreak of the global Covid-19 pandemic in 2020. The lockdowns associated with the pandemic resulted in a greatly reduced use of public transport to aid social distancing. The risk associated with this was that as people began to travel again they would feel pressure to continue avoiding public transport and choose to travel by private car instead with potentially disastrous effects on congestion, air quality and the quality and safety of the public realm.
- 9.17 Hackney in 2020, following national and London guidance, responded with a greatly enhanced programme to reduce motor traffic in residential areas and around schools at opening and closing times to encourage walking and cycling in residential areas. This resulted in an acceleration of Hackney's School Streets and Low Traffic Neighbourhoods programmes with the introduction of 19 new Low Traffic Neighbourhoods and over 40 School Streets around most of the borough's Primary Schools as well as the creation of two new protected cycle routes. Following extensive monitoring of these schemes nearly all of the School Streets and Low Traffic Neighbourhoods have now been made permanent. Link to Decision reports

[Low Traffic Neighbourhoods](#)
[School Streets](#)

- 9.18 Wider programmes outlined in Hackney's LIP ([LIP3 Appendix D](#)) are also ongoing. Notably these include:

- **Healthy streets** creating liveable and healthy street environments, pocket parks and parklets and on street parking hangers and dockless cycle parking bays. It is linked to other initiatives such as tree planting and the expansion of suitable drainage systems.
- **Electric Vehicle charging points** to facilitate the transition away from polluting ICE vehicles is a major priority. By mid 2022 some 330 charging points had been installed across the

¹⁸ Engagement and Schools Team unable to provide a mode of travel to school update for 2021/22 as it received a very low response rate from schools.

¹⁹ 2021 Census data for this metric not expected before 2023.

borough including 219 powered from lamp columns and 100 free-standing fast chargers and 11 rapid chargers. Hackney plans to deliver 3000 charge points by 2030 with the first 1500 by 2026.

New Car and Cycling Spaces

- 9.19 Car parking standards are established by the London Plan, which aims to reduce their provision. Car and Cycle spaces in developments are a key indicator of the effectiveness of policy by directly reducing the supply of space in which new residents can place vehicles – though some spaces, for example those for disabled users, are exempt.
- 9.20 Local Plan 2033 policies aim to reduce car usage in the borough, by encouraging car free developments. LP33 car parking policies ensure that Hackney becomes a greener borough by significantly reducing and in most cases, disallowing parking on new development. There has been a steady increase in car-free developments in the borough with 31 car free obligations agreed in FY2020/21 as compared to 22 in FY2019/20.
- 9.21 Hackney Council will continue to seek to re-prioritise the needs of road users away from the car and more towards pedestrians, cyclists and public transport users in line with National Guidance. At a local level, Hackney has sought to improve conditions through a variety of interventions including managing parking demand through controlled parking zones, removing gyratories and one way streets, and introducing traffic calming measures.

10. Open Spaces

- 10.1. One of the objectives of the Local Plan is to protect and enhance existing open space and diversity, develop and improve green links between these spaces and support the creation of new open space and vertical gardens.. Local Plan policy LP requires that there be no loss of open space within the network of designated open spaces, and LP48 requires new developments to provide new open space in developments. Hackney has green space totalling almost 396 acres, almost all of which is protected by planning designations.

Green Flag Awards for parks

- 10.2. Green Flag awards are given for a high level of environmental quality, and are awarded based upon 5 year plans for the improvement of parks. In 2020, 28 parks and open spaces in Hackney achieved green flag status. In addition within Hackney, three areas maintained by other organisations were also awarded Green Flag Awards: St Leonards Churchyard, St Mary's Secret Garden and Woodberry Wetlands. All of Hackney's District and Regional Parks are designated open spaces through LP33, along with many local spaces. The same number of green flags in the borough were retained in 2022.

Planning Obligations

- 10.3. Planning obligations are a direct result of planning for new development and are tailored to the needs of the area on an agreement basis, contributing to the improvement of open spaces. The 2020/21 parks infrastructure strategy funded a range of facilities across the borough. £670,569 of strategic CIL was spent on the enhancement of a variety of the borough's parks. Funding contributed to improving sports, play and toilet facilities.
- 10.4. The Hackney projects allocated or spent funds from S106 in FY2020/21 were:
- Shoreditch Park Improvements
 - St Thomass Recreation Ground Shelter
 - Connecting Green Spaces Daubeney Fields
 - Shepherdess Walk Play Area
 - Fairchild's Gardens improvements

Summary

- 10.5. As the inner London Borough with a large amount of green space, Hackney has been historically successful at protecting green spaces for its citizens. The Local Plan (LP33) policy LP46, LP47, LP48, LP49 and LP50 looks to protect, enhance and improve the existing open space network as well as biodiversity. Overall, the policies in LP33 have been effective in protecting open space given the generally positive trend in open space delivery for the last 5 years.
- 10.6. The new Local Plan seeks to secure additional open space through development alongside increased urban greening recognising projected

population increases. A *Green Infrastructure Strategy* is being prepared by LBH which will provide a strategic approach across Council functions for increasing and enhancing open space, including for biodiversity in the borough, working to make Hackney greener, with a more sustainable public realm. This will work alongside the *Child-friendly places SPD (adopted 2021²⁰)* which ensures the planning process both plan making and planning process actively considers design for people of all ages, abilities and backgrounds. It seeks to go beyond playground provision towards shaping the physical features of public space around and in between buildings in neighbourhoods. Planning applications which result in a yield of 10 or more children are required to submit a child friendly impact assessment and the design checklist, as part of the application. The principle and guidance set out in the SPD are being incorporated into area based plans, and into the development of schemes such as the next phases of Woodberry Down.

²⁰ The SPD picked up two awards at the 2022 Planning Awards, it won for plan-making, and the editor's choice award.

11. Design and Heritage

- 11.1. One of the overarching objectives of the adopted Hackney Local Plan LP33 is to protect and enhance the quality of Hackney's historic environments through a sensitive approach to existing character. Local Plan Policies LP1 Design and Local Context, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets require that all development should enrich and enhance the built environment that developments sustain heritage significance. Performance of the design policies is difficult to measure, as design quality is by definition qualitative not quantitative in nature. However, there are a range of statistics around heritage. These primarily relate to the designation of new heritage assets (e.g. listed buildings and conservation areas), dealing with Heritage at Risk and identifying new locally listed buildings.

Heritage at Risk

- 11.2. The Heritage at Risk Register is operated by Historic England and, as the name suggests, identifies historic buildings, structures and areas at risk of neglect, decay and unlawful works.
- 11.3. Comparison of the 2021 Heritage at Risk Register with the 2020 Register for Hackney shows that the number of listed buildings, conservation areas and Registered Parks and Gardens risk in the borough has decreased from 33 to 29 sites.
- 11.4. There have been 2 new additions to this year's Heritage at Risk Register. 5 sites have been removed through the completion of successful schemes for their restoration. Some sites will be taken off the register in coming years, since the Council has worked with owners to bring forward repairs, restorations and reuse schemes for these sites.
- 11.5. Of sites on the October 2021 register, 18 are subject to consented schemes, 3 are in planning, 1 is in pre-application discussion and 3 are subject to ongoing enforcement action. Of the buildings on the October 2020 register, 8 were subject to consented schemes, 3 were currently in planning and 1 was in pre-application discussion and 2 were subject to ongoing enforcement action. About 4 sites (including two conservation areas²¹) currently on the October 2021 register may be removed from the October 2022 register. 5 are owned by the Local Authority.

Listed Buildings and Schedule of Ancient Monuments

- 11.6. One site (Lauriston Road Jewish Cemetery) was added to the Statutory List²² in the year from April 2020 to March 2021. Some listings have also seen minor amendments to keep them up to date.

Local List

- 11.7. Local listing is a way for the Council to identify local heritage assets and set out what about them is important. The list contains buildings and structures

²¹ Sun Street and Mare Street Conservation Areas

²² Grade II listed building

which are of heritage significance and contribute to the local character and distinctiveness of Hackney.

- 11.8. These buildings are not listed by the Secretary of State, and do not have the same statutory protections as listed buildings. However, inclusion on the local list designates a building or structure as a heritage asset, and as such its conservation is an objective of the national planning policy framework.
- 11.9. Following consultation 15 buildings have been added to the Local List in FY 2020/2021. [Hackney Local List](#)

Conservation Areas

- 11.10. Hackney contains a large number of conservation areas that protect the character and appearance of a diverse range of historic environments. The total number of conservation areas in the borough currently stands at 32, covering almost a third of the borough. Conservation Areas provide extra controls for demolition, tree works and advertising and limit permitted development rights, meaning that applications must be made for certain external alterations and extensions to ensure they are in keeping with the character of the area.
- 11.11. The 2017 Conservation Areas Review Study (CARS) identified a programme for the review of the borough's existing conservation areas along with the designation of a number of new conservation areas.
- 11.12. Since publication of the CARS, the Council has designated the Shacklewell Green Conservation Area in February 2018 and adopted a small extension to the existing South Shoreditch Conservation Area in September 2019. The Council also designated Brownswood Conservation Area in February 2020 along with a review of Lea Bridge Conservation Area.
- 11.13. In 2020/21, the Council designated three new conservation areas at Pitfield Street, Beck Road and Well Street. The council also completed a full review and boundary extensions of the South Shoreditch Conservation Area in November 2021.

Tall Buildings

- 11.14. Tall buildings are of particular interest primarily as they represent some of the largest and most complex planning applications the borough deals with and they significantly test the strength of planning policy. Hackney takes a case-by-case approach to Tall Buildings in the borough, in line with Hackney's 2017 borough wide Characterisation Study which replaces the 2005 Hackney Tall Buildings Strategy.
- 11.15. The Characterisation study defines a tall building as 50% above the prevailing building height and encourages a context led approach and full site analysis in order to identify suitable sites for tall buildings. Policy LP1 within the adopted LP33 set out a rigorous set of requirements to ensure the highest quality of design and work on the Future Shoreditch AAP goes further by identifying specific sites and areas, which may be more appropriate for tall buildings.

- 11.16. The tallest building completed in Hackney in FY2020/21 was the 29 storey 'The Makers Building', which is part of the New Regents College development, in Shoreditch. The next tallest building completed was 33 Kingsland Road (11 storeys) and 211-227 Hackney Road (10 storeys) both on major routes in identified growth areas. The tallest building approved in FY2020/21 was on the 39-47 East Road site where part of the site will go up to 27 storeys, and Phase 3 of Woodberry Down will range from 6-20 storeys.

Hackney Design Awards

- 11.17. The Council first ran the Hackney Design Awards (HDA) programme in 2004 and it has been run successfully every two years since then. It is widely acknowledged that the HDAs are an established part of the Council's programme of events that enhances its reputation and promotes good architectural and urban design in Hackney. The Hackney Design Awards are one way to ensure development in Hackney is delivered to the highest possible standard and to enable high quality development through a range of initiatives and partnerships, including Hackney's Design Review Panel (DRP).
- 11.18. Hackney Design Awards celebrate the rich and diverse new high-quality architecture and open spaces that contribute to the borough's reputation as a hub of some of the best buildings and places in London.
- 11.19. The 2020 Hackney Design Awards was run as a virtual programme and received 47 nominations, up from 42 nominations in 2018. There were a number of special categories alongside the regular programme, with specific awards for Heritage and Restoration, Inclusivity in Design and Sustainability and Climate Change.
- 11.20. To complement the work undertaken for the Child Friendly SPD, the 2020 awards also premiered the Young People's Choice Award alongside the long running People's Choice Award.
- 11.21. Shortlisting and judging took place in late 2020 and there were a total of 4 awards and 7 commendations in the main awards category. A mixed use residential and commercial scheme in London Fields called the Fisheries won People's Choice Award, whilst the Young People's Choice Award went to Gainsborough Primary School for an ambitious redesign of the listed school's forecourt.

Summary

- 11.22. Overall the situation has been positive for heritage and design in Hackney. Although the number of buildings on the Heritage at Risk register has increased this will allow targeted support with the Local Planning Authority and Historic England to work with the owners to regenerate these buildings and areas to ensure their special interest is conserved. The increased levels of Local Listing and review of Conservation areas will provide greater policy protection for Hackney's heritage through LP33. The new Local Plan 2033, informed by a borough-wide characterisation study, sets out an approach to ensure that heritage assets can be protected by delivering good growth.

12. Planning Performance

- 12.1. The performance of Development Management is important to both the Council and Central Government, who measure performance. In some cases, Hackney sets a higher target than the Central Government. It should be noted that these statistics reflect the most recent dataset. Performance is measured by speed of decision making and quality:
- Speed: 70% of Major applications must be determined within 13 weeks of validation (Government targets are 60%); 75% of minor applications must be determined within 8 weeks of validation (Government target is 70%). 80% of all other applications completed within 8 weeks,
 - Quality: 70% of appeals to planning applications must be dismissed.
- 12.2. The key indicator for quality - that is, planning appeals dismissed - reduced from 68% in 2019 to 29% (6 out of 6) 2020, significantly below the 70% target, with a fall in the number of appeals heard.
- 12.3. Results in absolute terms are down on 2019, however in general most of the targets have been met. With the significant disruptions to the service due to the Covid19 pandemic and the cyberattack and the associated solutions put in place by the planning service to maintain an active service. The appeals dismissed was the only indicator not to exceed the internal targets. The appeals performance for 2020 however should be taken with caution when compared to performance in previous years; the impact of covid and the lockdown, plus the cyber attack meant that just 26 appeals were decided (compared to, for example, 224 appeal decisions in 2019). This is further compounded by the fact that appeals are processed by the Planning Inspectorate, and so the Planning Service were reliant on the ability of the Planning Inspectorate to register and commence appeals following the lockdown.

GENERAL PLANNING PERFORMANCE 2020/21

Indicator	Target	Q1	Q2	Q3	Q4	Total
		2020/21				
Percentage of major planning applications determined within 13 weeks or agreed timescales (ex NI 157a)	70%	67%	100%	67%	100%	76% (15 of 19)
Percentage of minor applications determined within 8 weeks (ex NI 157b)	75%	81%	n/a	100%	94%	78% (364 of 412)
Percentage of other applications determined within 8 weeks (NI 157c)	80%	89%	n/a	98%	90%	91% (345 of 383)

Percentage of planning appeals dismissed	70%	42%	n/a	n/a	17%	29% (6 of 16)
Percentage of customer satisfaction levels with the Planning Service	60%	A new survey is being issued in 2022 as part of ICT Strategy.				

Table 12.1 General planning performance 2020/21

Summary

- 12.4. Overall, the performance of planning has been positive in FY2020/21 despite the challenges of the service through the pandemic and the October 2020 cyberattack, with targets across development management exceeded in many cases; 76% of 19 Major Planning Applications were determined in accordance with agreed timescales, beating the target of 70%. 78% of minor applications were determined within 8 weeks, also beating the target of 75% and 91% of other applications were processed within their 8 week deadline, beating a target of 80%.
- 12.5. Overall, improvements across certain areas of the service have been maintained and additional improvements to some processes will be made going forward.



Title of Report	Business Regulations - Service Plan Update
For Consideration By	Corporate Committee
Meeting Date	13th December 2022
Classification	Open
<u>Ward(s) Affected</u>	All
<u>Group Director</u>	Rikardo Hyatt, Climate, Homes and Economy

1. **Introduction**

- 1.1. The Food Law Enforcement Service Plan 2022/23 was presented to the Corporate Committee on 28th June 2022. The plan was approved by the Committee. The report now being presented;
 - provides an update on the performance of the “Environmental Health Service against the Plan for the 2022/23 and to the end of quarter 2”, and the work undertaken to improve the quality of food premises in Hackney to protect the health of the public, to assist businesses to comply with their legal requirements;
 - demonstrates the impact of the Service in managing the services post Covid and the challenges being faced whilst at the same time meeting the needs of the regulators;
 - notes the greater emphasis placed on driving up compliance through advice, education, inspections of establishments considered to be flouting the law, and the necessary interventions undertaken.
 - Reflects on the service at the end of the 2021/22 financial year.
- 1.2. This report also highlights the work of Hackney Trading Standards for 2022/23 and to the end of quarter 2. The plan outlines the Service’s achievements and identifies areas of interest for the future.
- 1.3. In fulfilling its duties, the Service provides support to individuals, communities and businesses in the borough to enable people to buy goods and services with confidence and security, by offering advice to businesses to help them to comply with the law as well as dealing with commercial noise and nuisance complaints.
- 1.4. The Service also fulfils an important role in relation to public safety and health, for example through ensuring safe storage of dangerous items and by preventing the sale of dangerous products including the supply of age-restricted products to minors.

- 1.5. The Service also seeks to ensure there is a fair trading environment and helps businesses comply with legislation in order to protect consumers from unfair trading practices.

2. Recommendations

- 2.1. This report is for informative purposes and to provide an update to the Corporate Committee. There are no recommendations set out in this report. The Corporate Committee can note the level and scope of work being carried out to meet the requirements of the plan.**

3. Reason(s) for decision

- 3.1. The Food Standards Agency recommends that food service plans are submitted for Member approval to ensure local transparency and accountability.
- 3.2. Trading Standards have a duty to ensure consumer protection law is enforced fairly and proportionately.

4. Background

Policy Context

- 4.1. The Food Law Enforcement Service Plan (FLESP) is a statutory plan which sets out how the Council will undertake enforcement of food safety legislation.
- 4.2. The Plan is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement (2000), issued 1st April 2001, and is an important part of the process to ensure that national food safety priorities and standards are addressed and delivered locally. It also focuses on key deliverables, provides an essential link with financial planning, provides objectives for the future including identifying major issues that cross service boundaries and provides a means of managing performance and making performance comparisons.
- 4.3. The performance of the Food Safety Service is measured against its fulfilment of the Plan and fulfilling the services statutory requirements.
- 4.4. Due to the Cyber attack in October 2020 and the time it is taking to procure and implement a new information management system, it is not possible to provide an accurate return on data for Q1 & Q2 2022/23. The six month updates presented in Annex 1 and 2 provide an update against the service plan agreed by the Corporate Committee on 28th June 2022 and KPI set.
- 4.5. **Review of 2021/22 - Food Safety:** The FLESP is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement (2010). In 2021/22 the service prioritised the highest risk category inspection (category

A and B) with 100% of category A and B premises due for inspection within 28 days of the due date. This is along with 95% of service requests and consumer complaints about food and other businesses actioned within 10 working days, and 100% of new premises registered with the Council inspected within 28 days excluding those not yet trading.

- 4.6. The 2021/2022 Food Law Enforcement Service Plan identified a staff resource deficit of 2.3 FTE. This, coupled with long term staff sickness (some related to Covid-19) and the relevant inactivity during the lockdown periods, due to the direction issued by the Regulators, resulted in a backlog of food hygiene and food standards inspections.
- 4.7. The FSA obtained government permission to temporarily deviate from the inspection programme and suspend all routine food hygiene inspections. This decision was also taken to recognise that local authority environmental health departments would divert human resources to public health functions to cope with the demands of the pandemic. In response to this, the FSA identified three key priority areas:

High priority

- Ongoing surveillance to identify businesses trading and change of ownership or activities.
- Interventions of establishments with a known history of non compliance.
- Urgent reactive work including food incidences, food poisoning outbreaks, serious complaint investigations.
- Overdue enforcement visits (service of Hygiene Improvement Notice, follow ups of Hygiene Emergency Prohibition Notices etc).

Medium priority

- All category A, B and non complaint category C rated premises.
- Newly registered food businesses.
- Establishments applying social distancing which may impact food safety or the ability for LA to conduct a physical visit (care homes, voluntary organisations).

Low risk

- Compliant category C, all D and E for hygiene.
- Category B or C/ medium or low risk for standards.
- Overdue/due interventions not already captured above.

- 4.8. Officers undertook 1229 inspections in comparison to the 147 allocated. This was due to the service concentrating on clearing the backlog of unrated premises inspections, completion of Food Hygiene Rating System (FHRS)

reinspections which were not deemed a priority in accordance with the FSA's Guidance and diversion of human resources to the Covid Response Team.

- 4.9. In the 2021/22 FLESP it was estimated the Service would receive 600 registration forms. The total number of registration forms received from 1st April 2021 to 31st March 2022 stood at 814, with 433 businesses being inspected. It should be noted that whilst the actual inspection figure remains low in comparison to the figure of registration forms received, all newly registered businesses up to 1st October 2021 were contacted as part of the Food Standard Agency's (FSA) Recovery Plan-Phase to establish whether the businesses were ready to trade, many of which were not at the time of initial contact.
- 4.10. When contacted later, the vast majority of businesses had ceased trading. There was also an element of duplicated registration forms from businesses wishing to escalate their ratings appearing on the FSA's Food Hygiene Rating Scheme website. Businesses registered after 1st October 2021 were contacted in April 2022 to establish whether they are currently trading and those which are were inspected by the end of June 2022.
- 4.11. Table 1.0 below shows the performance of the Environmental Health service against key deliverable in 2021/22

Table 1.0 - Performance Data – 12 months review

	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22
No. of Food Inspections	46	51	96	81	43	55	46	70	69	59	52	98	88
No. of Cat A&B inspections carried out	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *
% of Cat A&B inspections within 28 days	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *
Percentage of Premises that are Broadly Compliant	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *	N/A *

No. of Food Premises Ceased Trading	39	12	17	13	8	14	7	14	12	5	1	7	24
No. of Food Premises Revisits	7	7	4	7	9	10	7	8	2	0	0	7	0
Total No. of new food registration forms received	139	108	108	75	66	70	55	62	67	44	83	60	82
No. of Formal Notices	0	1	0	0	0	0	0	0	0	0	0	0	0
No. of Formal & Voluntary Closures	0	1	0	0	0	1	0	0	0	0	1	0	0
No. of food hygiene written warnings	46	51	79	75	43	55	46	70	69	40	20	96	88
No. of food samples taken	0	0	0	0	0	0	0	0	0	0	0	0	0
No. of Service Requests	69	55	43	60	62	50	40	49	57	18	71	36	54
No. of Infectious diseases notifications received	1	0	10	2	26	28	28	36	22	22	24	29	33

*data unavailable due to the cyber attack

- 4.12. **Health and Safety** - The work of the team in relation to health and safety enforcement has been severely disrupted due to the two major events in 2020. The first is the global pandemic. Due to the volume of work created by the increased number of enquires and the reliance on other council services on the expertise of the environmental health staff, a Covid Response Team (CRT) was formed in July 2020. This team was staffed with three Environmental Health Officers, one Trading Standards Officer, one Environmental Protection Officer and one Senior Enforcement Officer. The second has been the loss of an information management system due to the Cyber Attack in October 2020. All non statutory functions were stalled as the

teams concentrated on the pandemic response. However as table 2.0 below shows the number of reportable accidents investigated in the 12 months.

Table 2.0 Accident investigations

	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22
No. of Accidents notifications received (RIDDOR)	4	5	8	6	6	2	12	10	9	4	4	3	7

- 4.13. **Trading Standards** - The Team focuses on the highest risk premises, categorised as Upper and Upper Medium inspections. In 2021/22 there were 149 High Risk, 190 Upper medium Risk and 267 (37 by alternative enforcement action) Low Medium inspections undertaken. In 2022/23 163 high risk, 209 Upper Medium and 293 (73 by alternative enforcement action) Low Risk inspections due to be undertaken. Table 3.0 sets out the inspection data for the service.

Table 3.0 - Inspections Data

Risk Category	Category A – High (to be Inspected 2021/22) (e.g. a premises selling products subject to safety legislation such as knives)	Category B1 – Upper Medium (to be Inspected 2021/22) (E.g. a car dealer or premises selling high value goods. There could be an associated consumer credit agreement)	Category B2 – Low Medium (Inspected every 5 years) (e.g. a trader which is a newsagent which is inspected with respect to pricing compliance)	Category C– Low (No recommended frequency)(e.g. a trader inspected for Ownership details)	Total
Total number of premises	149	190	267	N/A	606 Annual target
Number of visits Mar	0	0	0	80	80

Total Number of visits since April 2021	149	190	267 37 by alternative enforcement visits	0	606 excludes low risk)
Percentage of visits carried out in each risk category since April 2021	100%	100%	100%	N/A	100%
Target for percentage of visits to be completed at the end of March 2022	100%	100%	100%	N/A	100%

4.14. **Food Hygiene Inspection Programme** – This concentrates on the handling, preparation, and storage of food in ways that prevent foodborne illness. Members will be aware from the FLESP that premises are categorised and the frequency of inspection depends primarily on their category as specified in the Food Law Code of Practice, see below. Table 4.0 below shows the progress with inspections to the end of Q2 2022/23. The frequency of inspection is for each category:

- A: every 6 months (2 inspections/year)
- B: every 12 months
- C: every 18 months
- D: every 2 years
- E: every 3 years

4.15. To the end of Q2 2022/23, 459 inspections have been carried out. Of these:

- 22 were category A
- 68 were category B
- 118 were category C
- 1 was category D
- 250 were category E

4.16. **Table 4.0 - Performance Data**

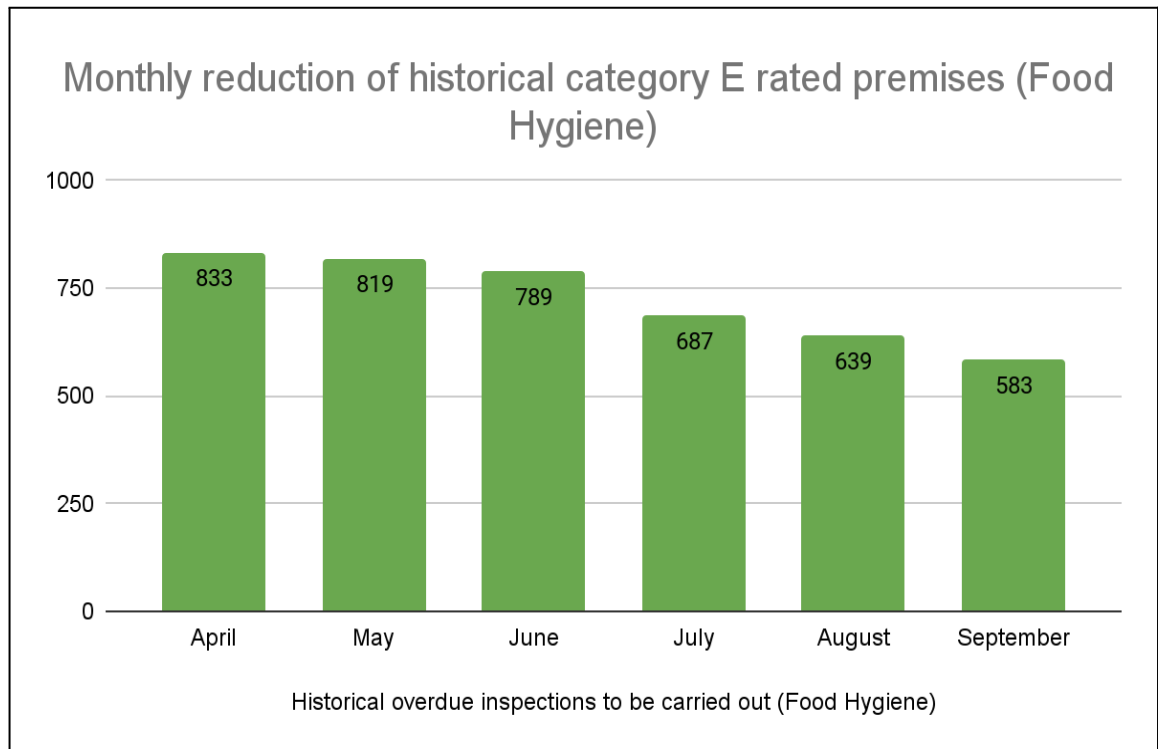
	April 22	May 22	June 22	July 22	August 22	Sept 22	Total
No. of Food Inspections	59	63	85	98	95	71	474
No. of Cat A&B inspections carried out	N/A*	N/A*	N/A*	N/A*	11	6	17*
% of Cat A&B inspections within 28 days	N/A*	N/A*	N/A*	N/A*	100%	100%	100%
Percentage of Premises that are Broadly Compliant	N/A*	N/A*	74.5*	76.1%*	74.4%*	74.7%*	74.1%**
No. of Food Premises Ceased Trading	14	35	27	82	62	78	298
No. of Food Premises Revisits	1	2	4	5	9	8	29
Total No. of new food registration forms received	54	68	24	68	66	54	334

*Unable to calculate due to a loss of the information management system

These live figures were taken from the FSA's website' FHRS Portal as: businesses with ratings 3 and above. These are considered dynamically accurate. However, the actual percentage figure is much higher as it is calculated by factoring in 'awaiting inspection' figures of 21.5% which are considered to be non-compliant. With the addition of more resources to reduce the 'awaiting inspection' figures along with the programmed inspection the broadly compliant figure would have been **96.2% (by adding 3.2% exempt and 8.3% excluded) as these categories are normally regarded as broadly compliant.

4.17. Chart 1.0 below shows the total number of overdue category E inspections as of April 2022 and the number of overdue inspections carried out. It should be noted the figures were extracted from Civica APP (information management system) as premises profiles and not the usual 'tagged' list as this was lost during the cyber attack, thus these are estimated figures. Since April 2022, 250 inspections have been completed.

Chart 1.0 - Overdue Inspections



4.18. The Category E project is being dealt with by two dedicated Officers on a part-time basis (1 FTE). It is envisaged that this strategy will considerably reduce the overdue inspections and free up the rest of the resources to concentrate on routine programmed inspections and the inspections of unrated businesses.

4.19. **Food Hygiene Rating Scheme (FHRS)**

4.20. The FHRS is key to the Food Standards Agency's strategic objective: safer food for the nation. Restaurants, takeaways, cafés, sandwich shops, pubs, hotels, supermarkets and other retail food outlets in the Borough, as well as other businesses where consumers can eat or buy food, are given a hygiene rating as part of the scheme.

4.21. Table 5.0 below shows the number of 0 - 5 rated businesses in April 2019 to date.

4.22. Currently, businesses that are rated 0-2 are encouraged to request a re-rating once the improvements highlighted during the initial inspection have been completed.

4.23. The number of premises in Hackney with a FHRS of 3 remains high when compared to London and nationally, and work continues with these

businesses to assist businesses to improve hygiene and achieve a higher rating.

- 4.24. The Service also offers a paid re-inspection for those businesses who actively want to achieve a better rating to encourage new/retain customers. A business can apply at any time and more than once.
- 4.25. Businesses rated 4 and 5 are those businesses that are compliant across a range of food hygiene parameters in terms of hygiene in the business, the structure of the business and the confidence in management demonstrated at the time of the inspection.

Table 5.0 - FHRs distribution from April 2022 - September 2022

FHRs Rating	Apr - 22	May - 22	Jun - 22	Jul - 22	Aug - 22	Sep - 22
5 - Very good	1307	1323	1333	1334	1334	1338
4 - Good	646	652	649	650	659	655
3 - Generally satisfactory	379	376	377	377	380	376
2 - Improvement required	88	86	84	84	82	86
1 - Major improvement required	57	59	58	58	55	56
0 - Urgent improvement required	3	4	3	3	1	0
Total rated establishments	2480	2500	2504	2506	2511	2511
Establishments with rating of 3 or better	2332	2351	2359	2361	2373	2369
Awaiting inspection	788	823	808	846	844	812
Exempt	124	124	122	122	120	120
Sensitive	1	1	1	1	1	1
Excluded	274	306	320	324	323	311*
Total establishments	3667	3754	3755	3799	3799	3755

- These are businesses that have ceased trading

- 4.26. Table 6.0 below shows that there are no businesses categorised as '0' rated in Hackney and '1' rated premises (2.2%) is better than the London average at 2.3%. The figures for '2' - '5' rated premises remains higher than the London and National average, but this is directly linked to the programme of work in the plan to reduce the number of overdue inspections and the high number of category E inspections.

Table 6.0 - Food Hygiene Rating Scheme

Ratings	0	1	2	3	4	5
Hackney (%)	0.0	2.2	3.3	15.0	26.0	53.5
London (%)	0.4	2.3	2.8	10.4	20.6	63.5
National (%)	0.2	1.4	1.5	6.4	15.3	75.2

4.27. **Food Standards Inspection Programme** – This concentrates on compliance with composition, presentation, labelling requirements and management controls. Food standards inspections are also carried out on a risk based programme. Only category A inspections are considered a priority and are inspected on their due date. The Code of Practice specifies the frequency of inspection. Premises that fall under a category C rating may be dealt with via the alternative enforcement strategy.

The frequency of inspection for Category:

- A: every 12 months
- B: every 2 years
- C: every 5 years

4.28. To the end of Q2 2022/23, 189 inspections have been carried out. Of these:

- 3 were category A
- 68 were category B
- 118 were category C

4.29. There has been an overall decrease in enforcement activities mainly due to improved engagement with businesses and the positive effects of face-to-face contact and support by ward Officers out of the district. Table 7.0 below shows a comparison of enforcement activities undertaken to the end of Q2 2022/23 against previous years.

Table 7.0 - Enforcement action breakdown

Enforcement action	2015/16 (end of yr)	2016/17 (end of yr)	2017/18 (end of yr)	2018/19 (end of yr)	2019/20 (to 30.09.20)	2021/22 (end of yr)	2022/23 (to 30.09.22)
Total number of Food Hygiene Written warnings issued	973	580	619	742	287	732	463
Hygiene Emergency Prohibition notices	0	4	0	0	0	0	0

(formal closure)							
Voluntary Closures due to Food Hygiene imminent risk	4	3	17	8	1	1	0
Premises receiving a Hygiene Improvement notice	43	39	63	18	8	0	0
Seizure/detention of food	7	0	0	0	0	0	0
Prosecution of food premises	3	0	0	0	0	0	0
Total	1030	626	699	768	296	733	463

- 4.30. **Health and Safety** - In fulfilling the Health and Safety Service Delivery Plan Officers use a number of intervention approaches to regulate and influence businesses in the management of health and safety risks, including provision of advice and guidance to individual businesses or groups, proactive interventions including inspections and reactive interventions e.g. to investigate accidents or complaints.
- 4.31. Hackney Officers may use enforcement powers, including formal enforcement notices, to address occupational health and safety risks and secure compliance with the law. Prosecution action may be appropriate to hold duty-holders to account for failures to safeguard health and safety. See table 8.0 below.

Table 8.0 - Accident investigations

	April 22	May 22	June 22	July 22	August 22	Sept 22
No. of Accidents notifications received (RIDDOR)	4	12	12	9	4	17

- 4.32. The priority of the Environmental Health team is on the recovery of the food inspection programme, hence, only matters of highest concern are being investigated by the team and participation in peer led projects in commercial kitchen settings, such as checks on gas and electricity safety.
- 4.33. Health and safety inspections are prioritised with the highest risk category (Category A) inspections to be undertaken. The risk rating for this is set out in a HSE Local Authority Circular - 67/2 (revision 11). For 2022/23. No high risk category A premises have yet been identified.

4.34. **Covid-19**

- 4.35. The pandemic had a significant impact on the Service. On the 1st April 2019 the service had 2471 registered food businesses. By September 2022 the service had 3755 registered food businesses, an increase of 52%. At the same time resources have not increased and the burden on the team is at such a level now that tough choices on service delivery are being considered for 2023/24, which could include not delivering non statutory services.
- 4.36. During the pandemic a Covid Response Team (CRT) was formed. The CRT has been at the forefront of the Council's response Covid pandemic. It was put together at a very early stage, as it became apparent that the operational skill set and expertise required for the response lay with the professionally qualified staff working in the Council's own Environmental Health Team (EHT).
- 4.37. The team quickly established themselves and continued until September 2022 to be a vital and integral part of the Council's overall Covid response. They have proved to have been particularly adept and skillful in not only reading the quantum of ever changing legislation, but also ensuring that the most relevant requirements to the local environment in Hackney are quickly prioritised and implemented.
- 4.38. Since it was set up in July 2020 and to 31st March 2021 the team has undertaken:
- 3123 visits to businesses across the borough consisting of both reactive & proactive inspections.
 - Received and responded to 348 service requests.
 - Sent 275 warning letters.
 - Issued 51 prohibition notices & 28 improvement notices.
 - Answered 51 Member, Mayoral and customer enquiries.
 - Issued 10 fixed penalty notices at £1,000 each.
 - Several focussed action days with other partners (particularly the Police, Public Health and Enforcement).
- 4.39. The team actively contributed to many Covid related forums such as the incident management team, daily huddles & advice sessions, Covid workplace working groups, businesses forums, the City & Hackney Covid-19 working group, the local Pub Watches and Community forums to name a few. They have also forged strong and effective partnerships with departments such as the Public Health Team, Communications and the Police.
- 4.40. The profile of the team and the value of the work they have contributed to has changed the perception of other services within the council, and the environmental health service is engaged at many more levels with senior

managers and colleagues across the council calling on contributions from the team.

4.41. Trading Standards

4.42. The Trading Standards Team delivers on both statutory and Mayoral priorities, as well as delivering targeted project work of National and local importance. These projects are determined by the Chartered Trading Standards Institute, by monitoring trends and fulfilling local priorities.

4.43. Inspections

4.44. The data in table 9.0 below, compares the enforcement visits figures for the last two years. Visits are categorised as High, Upper Medium, Lower Medium or low. The basis of the scheme is that each business within a local authority’s area receives a score in relation to the risk posed by the business, as opposed to a scheme which is based purely on inspection as a means of determining the risks. This means that businesses not previously risk rated (e.g. builders working from home) because they were not “inspectable” will now be risk rated as they can present a Trading Standards risk which can be dealt with via other mechanisms (e.g. surveys, test purchases or internet examinations, etc).

Table 9.0 – Inspection comparison to end Q2 2020/21 & 2021/22

Risk Category	High 2021	High 2022	Upper Med 2021	Upper Med 2022	Lower Med 2021	Lower Med 2022
Total Number of Visits	149	163	190	209	162	212
Percentage % of visits carried out in each risk category April- Sept 2019	100% (149 out of 149)	100% (163 out of 163)	100% (190 out of 190)	93% (209 out of 209)	37% (162 out of 267)	65% (212 out of 293)

4.45. The scheme comprises a hazard element (previously known as the national element) that is scored on the basis of business category and a likelihood of Compliance element (previously known as the local element) that is particular to the individual business and determined by local authorities. An example of:

- An example of a high risk premises could be a premises selling products subject to safety legislation such as knives.
- An example of an Upper Medium Inspection could be a car dealer or premises selling high value goods.
- An example of a Lower Medium example is a trader which is a newsagent which is inspected with respect to pricing compliance.
- Finally a Low risk premises could be one inspected just to confirm ownership details. See table 10.0 below.

Table 10.0 - Categorisation of business types

Category A – High (Inspected 12 months) (e.g. a premises selling products subject to safety legislation such as knives)	Category B1 – Upper Medium (Inspected 12 months) (E.g. a car dealer or premises selling high value goods. There could be an associated consumer credit agreement)	Category B2 – Low Medium (Inspected every 5 years) (e.g. a trader which is a newsagent which is inspected with respect to pricing compliance)
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4.46. The Service has re-focused on risk based inspections as well as carrying out intelligence led projects. The Consumer Rights Act 2015 amends Officers' powers of entry and has led to a reduction in the overall number of visits conducted. However the visits are more targeted at the higher risk visits.

4.47. **Consumer Complaints investigated**

4.48. From April – September 2022 there were a total of 195 consumer complaints received from members of the public. See table 11.0 below.

Table 11.0 - number of referrals to the Trading Standards Service

Referrals	Other	Total
136	59	195

4.49. Referrals are received from the Consumer Advice Bureau (CAB). Referrals are sent to the Service for action if necessary. They may also be used for intelligence.

4.50. **Table of Weights & Measures Inspections**

4.51. The Trading Standards Team conducts tests on spirit measures from licensed premises and visits to check whether patrons are being served correct measures, see table 12.0 below. Trading Standard establishments in several locations in Hackney. This work will increase in the run up to Christmas.

4.52. The Service's weights and measures officers have conducted weights and measures inspections at pubs or wine bars. Contraventions included using unstamped measures or having the incorrect notices. Further inspections of scales have also been conducted at the Markets in Hackney

Table 12.0 - number of weights & measure inspections

Total Number of weights and measures inspections	49
Percentage of visits compared to annual target (49 out of 72)	68%

4.53. **Counterfeit Goods**

4.54. The Service has been involved in a number of enforcement operations to combat the supply of counterfeit goods in the borough. This has resulted in the seizure of a variety of goods such as laptop chargers, phone accessories, tobacco, perfume, jewellery, DVDs, clothing and other fashion accessories. The service has been involved in a Multi Agency Operation seizure of counterfeit/unsafe electrical chargers, mobile phone accessories and electronic items such as chargers, headphones and earphones as well as toys.

4.55. At these inspections Officers have seized goods with a value in excess of £12,400.

4.56. **Test Purchasing**

4.57. From 1st April 2022 to 30th September 2022 there have been 5 test purchase operations conducted. The products ranged from alcohol, knives and tobacco and vaping goods, and 1 sale of a Vape item to a minor. This surpasses the annual target of 4 operations.

4.58. **Animal Feed**

4.59. Hackney Trading Standards regulates the safety of Animal Feed in the Borough by ensuring that businesses are compliant with Animal feed regulations with ten of the twenty-nine businesses visited thus far. Officers

have visited a range of supermarkets who supply some of their waste for Animal feed. Animal feed plays an important part in the food chain and the main aims are to help protect consumer and animal health. Businesses involved in the production, use, transportation, storage, or marketing of animal feeds must be registered or approved by Trading Standards.

4.60. **Tobacco Enforcement Work**

4.61. Trading Standards, alongside partners in Public Health, joined forces in the fight against illegal tobacco. Public Health currently funds one post which will combat illegal tobacco and alcohol. Table 13.0 below show the work undertaken in Q1 & Q2 2022/23

Table 13.0 - Tobacco Enforcement

KPI	Q1	Q2
No of premises from which tobacco was seized per quarter and advice given to retailers	4	3
No of cigarettes seized	2200	400
Volume of hand rolling tobacco seized in kg	0.75	5
Volume of shisha seized	0	2
Value of hand rolling kg	£1712.50	£832.00

4.62. **London Trading Standards Week**

4.63. This year, the focus of the week covered 5 key areas. These were the Online Market Place, Lettings Agents and Client Money Protection, Doorstep Crime, Vapes and Illegal Tobacco. Each of these areas of work is actually part of the Team's Key areas of focus, so fits well with local objectives and priorities. There was also a media campaign that has been launched by the central LTS team and which will be fed into by each authority. Visits were conducted in areas in the borough with the relevant business types. Finally visits were conducted to premises offering vapes and illegal tobacco.

4.64. **Lettings**

4.65. Visits and revisits have been carried out, possible action being considered against a number of agents who were non compliant.

4.66. **Illegal Alcohol enforcement**

4.67. Table 14.0 highlights the work has been carried out to tackle and identify the supply of illegal alcohol in the borough. The source of some of the illegal spirits has been identified and has led to Hackney Trading Standards passing information to HMRC. This has led to two separate investigations into importers supplying spirits illegally in the borough, one of whom is a business based in Newham and the other a business based in Germany, illegally using a consumer loophole to supply spirits to businesses in the borough via Amazon.

Table 14.0 - table of Seizures

KPI	Q1	Q2
Volume of alcohol seized	2 litres of whiskey	0
Value of alcohol seized	non duty paid £52.50	0

4.68. **Nicotine Products**

4.69. The service has been carrying out inspections across the borough on businesses which sell e-cigarettes, e-liquids and nicotine pods. Businesses have been given advice regarding labelling underage sales, advertising and the more problematic issue of CBD or Cannabidiol, which is an extract from

the Cannabis Sativa plant and is legal in the UK in this form. CBD is very topical currently and UK consumer demand for this compound is growing largely due to its alleged potential health benefits and overall good safety profile.

4.70. There are currently no CBD regulations or manufacturing standards in the UK. There are no strict laws that place a burden on UK manufacturers to have accurate CBD label content or to verify the CBD content of a CBD oil. In fact, if looking at other international markets, with the exception of the United States who have some basic regulation, a regulatory framework for CBD-containing products is largely absent. So given the lack of regulation and standards in the UK and abroad, it would be reasonable to assume that CBD mislabelling is likely to be a UK problem. A significant quantity of non-compliant stock has been found, somewhere there is a traceability issue and others where the required safety warnings, both written and tactile, are missing. These products have been seized and removed from the marketplace as they pose a danger to residents. The team has also been able to identify the importer of a large amount of the incorrectly labelled product from Malaysia. This importer now has a UK office and has withdrawn the products from across the EU and relabelled and boxed them with compliant details at some considerable cost to the company, as their products were throughout the UK and EU market place. To date £2000 of illegal these products have been seized

4.71. **Financial Investigations**

4.72. **Proceeds of Crime Act (POCA) update**

4.73. Three Officers in the Team are completing the work required to obtain their qualifications and complete their Personal Development Plans to obtain authorisation. This involves contacting financial institutions and reviewing banking data.

4.74. Two cases are currently under investigation with a potential POCA benefit of £247,000.

4.75. **Impacts Outputs Framework**

4.76. Table 14.0 below demonstrates work of the team into the national consumer protection services framework to better illustrate the way Trading Standards work contributes both locally and nationally to local and national priorities and benefits the local population. The framework helps to benchmark services and test the efficiency and effectiveness of trading standards services across England, Scotland and Wales.

Table 14.0 Outcomes April - September 2022

Impact	Description	Outcome Q1	Q2
No of scam victims supported	Total no of victims identified in the month by the NTS National Scams Team	3	14
Businesses tested for compliance with the law using underage volunteers OR for compliance with mandatory Challenge 21/25 conditions using older individuals	Number of individual premises tested for Alcohol (Only include data for premises for which test purchases have been attempted.)	9	13
Tackling the availability of illicit tobacco	Number of premises from which products were seized Volume of tobacco seized (l) and value (£)	4 seizures 2200 cigarettes 0.75kg Hand Rolling Tobacco Value £1712.50	3 seizures 400 Cigarettes 5 kg Hand Rolling Tobacco 2KG Shisha Value £832.00

Tackling the availability of illicit alcohol	Number of premises from which products were seized Volume of alcohol seized (l) and value (£)	2 litres of whiskey seized non duty paid £52.50	No illegal alcohol seized this quarter
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Equality impact assessment

4.77. N/A

Sustainability and climate change

4.78. N/A.

Consultations

4.79. N/A.

Risk assessment

4.80. N/A

5. Comments of the Group Director of Finance and Corporate Resources.

5.1. This report and appendices note the performance, level and scope of work being carried out to meet the requirements of service plans within Business Regulation.

5.2. The aims and objectives of the programmes described in this report will be delivered within the constraints of the existing Business Regulation service budgets.

5.3. The report notes (Paragraphs 4.74) the financial investigations under the Proceeds of Crime Act (POCA). Income received from compensation orders awarded in favour of the Council contributes to the cost of staff involved in POCA investigations and enforcement action.

6. Comments of the Director of Legal, Democratic and Electoral Services

6.1. This report is to inform and provide an update to the Corporate Committee in relation to the performance, level and scope of work being carried out to meet the requirements of service plans within Business Regulations (Environmental Health Service and Trading Standards Service). There are no immediate implications arising from this report.

Appendices

- Appendix 1 - Environmental Health Service - 6 month update against the 2022/23 service plan.
- Appendix 2 - Trading Standards Service - 6 month update against the 2022/23 service plan.

Background documents

None

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Appendix 1 - Environmental Health Service - 6 month update against the 2022/23 service plan

PI Code	Short Name	Frequency of reporting	Directorate	2022/2023 Target	As of 31.09.22	RAG
NH PRS 030	% of service requests/consumer complaints about food businesses actioned within 10 working days	Monthly	Climate, Homes and Economy	100%	100%	
NH PRS 032	A & B category food hygiene inspections carried out within 28 days of the due date	Monthly	Climate, Homes and Economy	100%	100%*	
NH PRS 034	% of Broad Compliance for food hygiene (accumulative)	Monthly	Climate, Homes and Economy	TBC**	75%	
NH PRS 035	% of unrated food premises inspected excluding registered premises not yet trading	Monthly	Climate, Homes and Economy	100%	100%	
NH PRS 036	Number of unrated food premises	Yearly	Climate, Homes and Economy	Less than 200	103***	

*Due to the cyber attack and the pandemic we have been unable to calculate our 2022/2023 annual/6 month target however, where an A or B category rated premises has been identified it has been inspected within +/- 28 days.

**previously we were unable to report on A & B inspections carried out in 28 days and unrated figures due to the cyber attack However, since August we have been able to calculate the figures. August and September 100%. BC figure in Q1 74.5% and Q2 75.1%. The low BC figure is attributed to the increased unrated premises, if they were all rated the BC figure would stand at 94% (indicative), higher than the pre pandemic BC figure.

***As part of the FSA 2021-2023 Recovery plan we have contacted approximately 275 businesses which will be allocated for inspection in Q3 and Q4 when the backlog is expected to be cleared.

****The service will resume the customer service satisfaction survey at the end of Q4 and there after every quarter from 2023/24.

Inspection statistics

The number and types of food businesses and their risk rating planned for food hygiene inspections 2022/2023

Due to the cyber attack we have been unable to identify the exact number due/overdue and the number and types of food businesses and their risk rating planned for food hygiene and standards inspections. These businesses are usually tagged on the premises database, however this is currently unavailable. The Service has been working closely with ICT to develop a temporary method of identifying and tagging premises due for inspection in 2022/23.

In April 2022 it was estimated roughly 302 routine category A - D inspections were due. This number is lower from previous years due to the cyber attack and due to the hard work of the team during the pandemic. It is envisaged Officers will need to physically survey the district to capture the details of businesses missing from our temporary database in order to ensure the correct data is migrated to the new database.

The service has encountered initial teething problems with the new database, however a skeletons database should be operational at the end of 2022 with the final go live date in April 2023. However it is predicted the Service may not make a full recovery until 2023/24 due to the work required to build a food business database.

The Food Standards Agency (FSA) recognised that many local authority resources were diverted to public health functions due to the pandemic and as such the service was unable to carry out the full inspection programme. The FSA has issued updated guidance in response to the pandemic which all local authorities must have regard to. The Recovery Plan, implemented on the 1st July 2021 to 2023/24, provides a framework for re-starting a delivery system inline with the Food Law Code of Practice.

The recovery plan has two phases:

Phase 1 - 1st July - 30th September 2021: - Completed

- Prioritise new businesses for inspection;
- Plan intervention programme from September 2021 onwards.

Phase 1 of the recovery plan concluded with 334 businesses contacted to establish whether they are currently trading, ceased trading or due to start imminently. Businesses who are currently/due to start trading have been included in the inspection programme with over 100 unrated premises inspections carried out from Q1 to Q2.

Phase 2 - 1st October 2021 - 2023/2024:

All category A (hygiene) inspected; - Ongoing

- All category B (hygiene) or A (standards) receive an inspection; - Ongoing.
- All category C (hygiene) and less than broadly compliant receive an inspection; - Ongoing.
- All category D (hygiene) and less than broadly compliant receive an inspection; - Ongoing.

- All category C (hygiene) and broadly compliant or better receive an inspection (new food standards delivery model to be implemented in 2023/24). - Ongoing.

For the successful delivery of the FSA's recovery plan, it was imperative that a new database was implemented at the end of phase one in September 2021, however this has not been possible. The service has since begun training and migrating historical inspections into our new database, Arcus. In the meantime the service will continue to use the established workarounds.

We are confident that the 'delivery plan' is on course to achieving the milestones enshrined within the plan.

Environmental Health Performance (Food Hygiene and Food Standards) against Key Service Performance Indicators 2022/23 - 6 months update (01.04.22 - 30.9.22)

Item no	What are the priorities?	Where to intervene?	Update	RAG
1.	Develop the Food Law Enforcement Service Plan		Completed	
2.	To submit the LAEMS return to the Food Standards Agency		FSA suspended the annual returns (LAEMS) due to the pandemic. Each local authority submitted a questionnaire regarding inspections and resources available.	
4.	The number of food businesses in the borough, subject to food hygiene controls, stood at 3605 in April 2022 and it is estimated that an additional 350 businesses will register in 2022-2023. The number of new premises are of particular concern to the Food Safety Service as they place a greater demand on the Service.	The Service manages a programme of inspections for all new/unrated food premises to ensure their hygiene compliance is assessed.	As of 30/09/2022 the current number of food businesses in the borough subject to food hygiene and standards stands at 3764. This figure substantially increased from last year and when the figure stood at 3218, an increase of 546 (17%) due to the influx of new registration forms received. During the pandemic businesses attempted to diversify to comply with government restrictions relating to essential traders. The service previously determined that no more than 70 unrated premises should be on the database at any one time. As of March 2022 there were 225 unrated premises, due to the loss of the premise database (CIVICA APP) it has been difficult to calculate how many of which have been inspected. However, as part of the FSA's recovery plan we have contacted all unrated businesses which have been allocated as high priority within our inspection programme as these are deemed to be non-complaint until they are inspected and this can have a negative impact on the overall	

			broadly compliant figure once they can be calculated.	
5.	Hackney participates in the National Food Hygiene Rating Scheme (FHRS). The scheme is designed to give the public information about local food businesses so that they can make informed choices about where they eat locally (and nationally).	All high risk premise rated category A-C are visited every 6-18 months.	Data is uploaded to the FSA National website every fortnight. Ratings can be viewed at www.ratings.gov.uk . However, we experienced delays in updating scores due to the loss of Civica Businesses are encouraged to apply for re-rating inspections upon carrying out necessary improvements.	
6.	Broad Compliance with Food Safety Legislation	The end of year target for the service is to have 89% of all businesses inspected to be broadly compliant.	The Service has recently been able to calculate the BC Figure; Q1 74.5% and Q2 75.1%. Which would equate to just over 96% if there were no businesses awaiting inspections. Previously we were unable to report on A & B inspections carried out in 28 days and unrated figures due to the cyber attack However, since August we have been able to calculate the figures. August and September 100%. BC figure in Q1 74.5% and Q2 75.1%. The low BC figure is attributed to the increased unrated premises, if they were all rated the BC figure would stand at 94% (indicative), higher than the pre pandemic BC figure.	

7.	<p>The Borough hosts a large number of annual festivals and other outdoor events as well as regular markets which attract community caterers and a large number of temporary caterers, pop-ups and food producers, all of which require vetting and inspecting as necessary.</p>	<p>To develop better joint working with Markets and Street Trading to improve compliance among street food businesses.</p> <p>Participation at HEAT. /HSAG to consider all large scale events that take place in Hackney.</p>	<p>The Service participates in HEAT/HSAG meetings covering events held in Queen Elizabeth Olympic Park and other smaller events held throughout the Borough that have enabled interventions to ensure the provision of safe food at the event planning stage.</p> <p>Due to the passing of HM The Queen Hackney Carnival was cancelled as a mark of respect.</p>	
8.	<p>Healthier Catering Commitment (HCC)</p>	<p>The Team is delivering the project on behalf of Public Health as part of the Council's obesity strategy.</p>	<p>The Healthier Catering Commitment Lead Officer has been continuing to sign up new independent food businesses to the Healthier Catering Commitment in the past six months. In addition to signing up new businesses, the Officer has created a questionnaire which has been given to the current participants of the scheme. This is designed to find out what the businesses need as business in these current times. These have been distributed to most of the businesses and the Officer is currently awaiting some to answer these and get back to her. Once all of these have been collected, the answers will be evaluated and it will be decided what will be added as an additional benefit to the scheme. Some current options include Health and Safety Level 3 Training, Nutrition Training, Vegan cooking training and chances to connect with other independent local food business owners. This decision will be made by the end of the year.</p>	

			<p>The Healthy Catering Commitment Officer has also been working with ReLondon who have carried out some online training with EHO's in the food safety team. EHO's have now been trained on how to discuss the issue of food waste with food businesses, and explain to them how they can deal with this in the most effective way possible.</p> <p>Promotional materials regarding the NHS Healthy Start scheme have been sent to newsagents across the borough. This is in an attempt to raise the profile of the scheme and encourage new parents to sign up and gain the benefits if possible.</p> <p>The Officer has also been in discussions with ReLondon and the sustainability team within Hackney working on how to add some further sustainability conditions to the HCC scheme in the future. At the moment these are likely to be surrounding the topic of food business packaging, and environmentally the best approach to take with this. This will hopefully also include some further training with the food safety EHO's so they can talk to businesses about the best way to deal with this.</p>	
9.	Use of the Training Centre to improve food safety knowledge in local businesses and to improve food hygiene broad compliance.	The training centre will support businesses by making food hygiene training accessible to food businesses in the borough and particularly to those that are not compliant or are subject to enforcement action due to the serious risks of their food operation.	Due to the pandemic and the requirement for all staff to work from home the training centre was temporarily suspended. It is unlikely the training centre will return as the service will need to prioritise the FSA's recovery plan and implement a new database.	
10.	Primary Authority Principle (PAP)	This Service will look to engage businesses to establish a PAP to support businesses, raise standards and	All PAP agreements have ended as businesses wished to end the agreement and the Services resources were stretched due to the pandemic hence we will not take on any further agreements in the immediate/foreseeable future.	

		ensure a consistent approach to enforcement.		
11.	Additional visits will be undertaken where follow up/formal action is required as a result of serious contraventions found at the time of a primary inspection.	The Service will strive to bring poor rated businesses into broad compliance.	44 revisits, where necessary, have been undertaken to date. There are currently no '0' rated businesses.	
12.	It is expected that the Service will receive over 1000 service requests in 2022/23		270 service requests were received at the end of Q2 (there has been a slight reduction compared with the same period last year due to the ease of covid related restrictions.	
13.	Proactive food sampling will be carried out in an intelligence-led way based on national, regional and local priorities and the Service will participate in relevant national surveys. Reactive sampling will be carried out where necessary in response to complaints and referrals but also during or following inspections.		Due to the pandemic and diversion of human resources to the Covid response Team the service did not participate in any national or local studies. However, the service will participate in local and national samples in Q3 and Q4.	
14.	The Service is committed to investigating all food poisoning outbreaks and notifications occurring in the borough in accordance with Public Health England/Local Authority Joint Infectious Diseases Protocol and Procedure.		166 Infectious Disease notifications were received during the reporting period. Appropriate actions taken and investigated where deemed necessary in liaison with the regional Health Protection Team (PHE, now called UKHSA) were taken.	
15.	The Service has arrangements in place to ensure that it is able to implement the requirements of Food Law of Code Practice		Four Food Alerts issued by the Food Standards Agency were satisfactorily responded to during the reporting period.	

	in respect of food alerts.			
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*Due to the pandemic the FSA suspended the normal format of LAEMS returns. All local authorities were required to provide figures on due and overdue inspections.

ENVIRONMENTAL HEALTH - Health and Safety - Performance against Service Performance Indicators 2022/23 - 6 months update - (01.04.22 - 30.9.22)

PI Code	PI Short Name	Annual Target	2021/22	2022/23 (1/4/22 - 30/9/22)
NH PRS 033	Percentage of category A (health and safety) risk premises inspected	100%	100%	N/A* (100%)

* No category 'A' premises were due for inspection.

Health & Safety Performance against Service Performance Indicators 2022/23 - 6 month update (01.04.22 - 30.9.22)

What are the priorities?	Why intervene?	Where to intervene?	How to intervene?	When to intervene?	Update	RAG
1. Inspection of cat A high risk premises.	High risk	All high risk premises which have been tagged for inspection.	All high risk premises and any emerging high risk premises will be inspected in accordance with the established procedures.	On-going 2022/23 By the end of March 2023	No high risk premises had been tagged or identified within the reporting period.	
2. Develop and deliver the health and safety delivery plan.	A comprehensive service plan detailing the activities of the team is essential to provide focus and direction to the team To ensure that reports are made within the prescriptive timescales and the details of the events have been	This Plan sets out the H&S service's priorities and resources identified.	Other interventions	Development by the end of April 2022, Delivery by the end of Q4 2023	Completed	
3. Investigations of incidents and complaints using LAC 22/13(rev1)		10% of all RIDDOR notifications will be investigated.	Incident & ill health investigation.	On-going in 2022/23	67 RIDDOR notifications were received and all were satisfactorily actioned and	

	accurately represented.				investigated, as required	
4. Proactive work in accordance with the beauty sector strategy including the monitoring of reports and complaints to identify reports of ill health, accidents, incidents, poor performance, trends and local issues which may require further interventions or issues which may need to be taken forward nationally.	<p>The Environmental Health Team carries out health and safety inspections of Massage and Special Treatment (MST) premises to assist the Licensing Team determines initial applications. Subsequently all premises deemed to be carrying out high risk activities are inspected annually, upon receipt of renewal application. All H&S related complaints related to MST premises are also investigated. Statutory return – performance information will be submitted to the Health and Safety Executive.</p> <p>To assess the adequacy of the electricity safety and maintenance</p>	The environmental health team will inspect all premises that apply for a new licence to provide UV light treatment, IPL, sauna, steam, spa, tattooing and body piercing) not ear and nose piercing)	Inspections and other appropriate interventions.	On-going in 2022/23	All new and renewal MST applications were responded to where high risk activities were considered to be involved.	
5. To take	To assess the	Carry out targeted	Through	On-going		

appropriate enforcement actions in respect of electricity safety issues under the Electricity at Work Regulation 1989	gas safety and maintenance procedures	interventions in hospitality setting	inspection, examination of safety procedures, and certification	g 2022/23	Actions being taken when relevant matters of evident concern in relations to electricity risks are identified.	
6.To take appropriate enforcement actions in respect of gas safety under the Gas Safety (Installation and Use) Regulations 1998- as amended		Carry out targeted interventions in catering premises	Through inspection, examination of safety procedures, and certification	On-going 2022/23	Refresher training for officers being organised	
7. Assess the adequacy of Welfare Provisions for the work related road safety delivery drivers under Workplace	To make an objective assessment Undertake appropriate interventions consistent with Health and safety enforcement Policy.	Where necessary, based on the local knowledge intelligence or as part of the complaints investigation	Through inspection and questioning of riders and drivers etc	On-going 2022/23	Following a refresher training officers have been identifying gas related risks and taking appropriate actions. A meeting with IWGB (a Union representing the riders) was arranged and agreed that actions will be taken on a complaint basis.	
8. To take appropriate formal enforcement actions of H&S matters, when warranted.		Premises found to be unsafe will be faced with a graduated approach to enforcement. This could be a warning letter, an enforcement Notice or prosecution, in line with the enforcement policy.	Inspection or other appropriate interventions	On-going 2022/23	No complaint has yet been received.	

9. Development of standard operating procedures (SOP)	Up to date and accurate standard operating procedures are essential to the team.	A programme of review of H&S SOPs. Revised/new procedures will be integrated in the team's work stream.	Development and review of procedures	By end of Q3 2022/23	All relevant procedure notes will be reviewed and updated where necessary.	
10. Submission of LAE1 report	Statutory requirement	Annual and 6-month submissions	Statutory return of performance information will be submitted to Health and Safety Executive	By end of May 2022	Completed. LAE1 form was successfully submitted well within the time limit. No issues or enquiries were raised by the HSE in relation to information provided.	
11. Matters of Evident Concern (MEC) arising from multi-agency projects	Joint agency projects allow entry into premises that we would not normally inspect. This facilitates intelligence gathering on those business activities and their compliance with H&S regulations.	Projects with internal and external partners on, for example, illegal sale of tobacco, licenced premises and enforcement of illegal shisha premises. Officers will also deal with MEC whilst carrying out food hygiene and food standards inspections	Other intervention Inspection, joint operations	On-going 2022/23	Within the reporting period a number of Health and Safety concerns were noted by the officers when carrying out non H&S visits. Given that there is still no Information management system available figures for these actions is difficult to be manually determined	
12. Responsible Authority role/Event safety	To ensure public safety issues arising from licensed events and premises in the Hackney are minimised.	Beneficial to employers, workers and the wider economy.	Advice, guidance and inspections	On-going 2022/2023	No such events were organised during the reporting period.	
13. Initiate an awareness and enforcement	To ensure public and employee safety arising	Project will encompass all food businesses and appropriate checks	Advice, guidance and education and formal actions	In Q4 -2022 Statistic	Due to the impact of Covid-19 pandemic this	

programme for risks associated with poor maintenance of shop signs and gas safety in commercial food businesses.	from poor planned maintenance	will be made during programmed inspections and other visits to commercial premises	as required	s to be included in LAE1 form in May 2022	project will be initiated in Q4 onwards.	
14. Review the Authorisation of Inspectors through completion of the Competency Framework involving assessments of skills, knowledge and competencies.	To ensure that currently appointed Inspectors are equipped with relevant skills and knowledge to carry out statutory functions and can discharge responsibilities efficiently.	Development of appropriate competency framework and discussions with team members	Objective assessments	On-going 2021/22	Two officers seconded from other services within the Business Regulation Unit were assessed and authorised in Q1 to effectively deal with H&S risks within the hospitality sector.	
15. Covid Response Team (CRT) to continue to provide support and expert advice to the business under the direction of the Public Health Department (PHD). to help control any serious outbreaks of infection.	To help control the infection; in the event of varying strains spreading within the community without any control which in turn may lead to a consequential spike in the infection rate.	Any commercial premises such as Places of work with density of occupation and or other settings which can act as reservoir of infection	All premises and settings deemed by the PHD as capable of impacting adversely either locally or regionally.	By providing advice and guidance as and when required and by carrying out outreach visits if deemed necessary and if necessary taking formal enforcement actions under the H&S legislation	For the reporting period a dedicated Senior EHO was placed within the Public Health team to provide expert advice and guidance during the reporting period on a 0.5 FTE basis and was able to periodically issue guidance and provide support.	

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Appendix 2 - Trading Standards Service - 6 month update against the 2022/23 service plan - 6 month update (01.04.22 - 30.9.22)

KPI	Frequency of Reporting	Target	RAG
High Risk Inspections	Monthly*	100% by 31 st March 2023	
Upper Medium Risk Inspections	Monthly	100% by 31 st March 2023	
Complete all Animal Feed inspections by the end of year. (Statutory visits under Food Standards Agency)	Monthly	100% by 31 st March 2023	
Minimum 6 Weights and Measures inspections (Statutory requirement from National Measurement Office)	Monthly	100% by 31 st March 2023	

Item no	What are the priorities ?	Where to intervene?	Update	RAG								
1	High Risk Visits	To visit 100% of the high risk inspections by 31st March 2023. Monthly reporting.	<p>Trading Standards have visited 100% of the high risk inspections in Q1 & Q2.</p> <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of Visits</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>117</td> </tr> <tr> <td>Q2</td> <td>46</td> </tr> <tr> <td>Total</td> <td>163</td> </tr> </tbody> </table>	Quarter	Number of Visits	Q1	117	Q2	46	Total	163	
Quarter	Number of Visits											
Q1	117											
Q2	46											
Total	163											
2	Upper Medium Risk Visits	To visit 100% of the Upper Medium risk premises by 31st march 2023. Monthly reporting.	<p>Trading Standards have visited 100% of the Upper Medium risk inspections in Q1 & Q2.</p> <table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of Visits</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>106</td> </tr> <tr> <td>Q2</td> <td>103</td> </tr> <tr> <td>Total</td> <td>209</td> </tr> </tbody> </table>	Quarter	Number of Visits	Q1	106	Q2	103	Total	209	
Quarter	Number of Visits											
Q1	106											
Q2	103											
Total	209											
3.	Underage sales	Maintain the reduction in	From 1/4/22 to 30/9/22 there have been 5 test purchase operations conducted. The products ranged from alcohol,									

	programme	underage to combat anti-social behaviour and to promote the health and well-being of young people. The target is to conduct 4 operations a year. One a quarter.	knives and tobacco and vaping goods and 1 sale of a Vape item to a minor. This surpasses the annual target of 4 operations.																								
4.	Tobacco Control	Reduction in illegal sales and the use of tobacco in support of government efforts to encourage smoking cessation. To participate in appropriate/related health initiatives.	Trading Standards alongside partners in Public Health joined forces in the fight against illegal tobacco. Public Health currently funds one post which will combat illegal tobacco and alcohol. <table border="1"> <thead> <tr> <th>KPI</th> <th>Q1</th> <th>Q2</th> </tr> </thead> <tbody> <tr> <td>No of premises from which tobacco was seized per quarter and advice given to retailers</td> <td>4</td> <td>3</td> </tr> <tr> <td>No of cigarettes seized</td> <td>2200</td> <td>400</td> </tr> <tr> <td>Volume of hand rolling tobacco seized in kg</td> <td>0.75</td> <td>5</td> </tr> <tr> <td>Volume of shisha seized</td> <td>0</td> <td>2</td> </tr> <tr> <td>Value of hand rolling kg</td> <td>£1712.50</td> <td>£832.00</td> </tr> <tr> <td>Volume of alcohol seized</td> <td>2 litres of whiskey</td> <td>0</td> </tr> <tr> <td>Value of alcohol seized</td> <td>non duty paid £52.50</td> <td>0</td> </tr> </tbody> </table>	KPI	Q1	Q2	No of premises from which tobacco was seized per quarter and advice given to retailers	4	3	No of cigarettes seized	2200	400	Volume of hand rolling tobacco seized in kg	0.75	5	Volume of shisha seized	0	2	Value of hand rolling kg	£1712.50	£832.00	Volume of alcohol seized	2 litres of whiskey	0	Value of alcohol seized	non duty paid £52.50	0
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			No of test purchases for under age sales of tobacco and alcohol	9	13									
5	Animal Feed	Ensure any animal feed issues are dealt with effectively and efficiently.	Trading Standards have visited 10 out of 29 registered premises up to the end of Q2.	<table border="1"> <thead> <tr> <th>Quarter</th> <th>No of Visits</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>6</td> </tr> <tr> <td>Q2</td> <td>4</td> </tr> <tr> <td>Total</td> <td>10</td> </tr> </tbody> </table>		Quarter	No of Visits	Q1	6	Q2	4	Total	10	
Quarter	No of Visits													
Q1	6													
Q2	4													
Total	10													
6.	Weights & Measures	Ensure a minimum of 6 Weights & Measures inspections. (Statutory requirement from National Measurement Office)	Trading Standards have visited 49 premises to the end of Q2 with respect to weights & measures inspections. This program is ahead of the minimum of 36 for this period.	<table border="1"> <thead> <tr> <th>Quarter</th> <th>Number of Visits</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>18</td> </tr> <tr> <td>Q2</td> <td>31</td> </tr> <tr> <td>Total</td> <td>49</td> </tr> </tbody> </table>		Quarter	Number of Visits	Q1	18	Q2	31	Total	49	
Quarter	Number of Visits													
Q1	18													
Q2	31													
Total	49													
7.	Consumer Advice and Education	Promote the Service and deliver advice to residents and businesses. Respond to consumer complaints and service requests.	A Winter Warmer event was held for over 55s on Tuesday 1st November 2022.This project will take place in Q3. Trading standards will provide advice to minimise the risk of our elderly citizens from becoming victims of scams and rogue traders.											
8.	Product Safety	Target of 1 project.	Various electrical Goods have been seized during TS operations as well as being counterfeit some are unsafe. There is work needed around the Ridley Road area with skin lighteners and cosmetic products.Target of 1 project has been achieved. OPSS referrals regarding goods imported by companies within the borough have been actioned. A number of these are for businesses based at Mail Forwarding/registered office addresses, which makes it very difficult to take action											

			or advise the trader as they are based abroad mainly in China.	
9.	LTS week	Participation in London Trading Standards week	<p>All members of the team were involved in parts of the work during the LTS week. The week consisted the following:-</p> <ul style="list-style-type: none"> • Visit areas in borough at building sites with scaffolding which historically there have been issues with rogue traders to ensure traders were aware of consumer cancellation rights and had provided appropriate paperwork. • Online surveillance of companies in Hackney including checks on social media checking legal compliance including cancellation rights. • Ten letting agents were visited as well as five agents websites to ensure legal compliance. • Finally visits were conducted to premises offering vapes and illegal tobacco. A total of thirteen were visited with receiving warnings for breaches of display requirements. 	
10.	Lettings	Conduct 3 per Q per officer and deal with any complaints	Target has been achieved. Visits and revisits are being carried out, possible action being taken against a number of agents who were non compliant. Three notices of intent being sent to persistent non compliant traders.	
11	Tackling Counterfeit Goods	Reduce the level of non-compliance and raise awareness through appropriate publicity.	<p>Project/Monitoring of traders in Ridley Road and Hackney Road is ongoing.</p> <p>Traders have been checked to ensure licences are displayed as well as them showing ownership details. In addition traders were asked to ensure all prices are displayed. Traders are checked to ensure no illegal counterfeit or unsafe items are displayed. Those traders who do not comply are subject to longer term investigation.</p> <p>Multi Agency Operation seizure of counterfeit/unsafe electrical chargers from three premises. Seizures have taken place in the Dalston investigations. Further work on counterfeit goods in the borough is planned. Shop owners and market operators could be prosecuted for aiding and abetting and money laundering if it can be proved they are aware what their tenants are selling, or have been written to to advise them of this, this was discussed.</p> <p>Ridley Road Sunday seller was discussed and the Sunday operation has been raised with Police who are willing to assist.</p>	
12.	Operation Liberal	Conduct visits at various building sites	Operation Liberal visits during LTS week looking for rogue traders speaking with businesses. Scams team referrals within Hackney for local residents being taken in by scam mail and sending of payments to these companies. Victims will be visited for advice and guidance. Ensure information for residents is updated and current scams are advised and leaflet on cash back scams notified.	

13.	Use of communications to raise awareness of the work of the service and provide improved information for residents and businesses.	Contribute articles to suitable internal publications. Website information to be maintained and updated as necessary. Suitable information for press releases to be passed to the Communications Team.	One article has been published on the council website, another article is with them to be sent out.													
14.	Carry out Licensing checks	Ensure compliance with licensing principles.	The service continues to process Licensing applications as a Responsible Authority. Licensing applications and variations received have been responded to on time, five voluntary variations to application have been submitted and accepted by the applicant. Most applications now have terms required included in initial documents, The 'reduce the strength' condition is now being requested for off licences now.													
15.	Intel gathering	Prepare IDB intelligence reports where appropriate	<p>IDB stands for Intelligence Database. This system is used by most Trading Standards authorities. These IDB reports are uploaded by officers throughout the country from complaints received from the public. Most of these are received from the citizen advice service. At regional managers meetings the number of reports generated are reported and they analyse these reports to drive regional priorities</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Referrals</th> <th>Other</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2022/23 Q1</td> <td>70</td> <td>27</td> <td>97</td> </tr> <tr> <td>2022/23 Q2</td> <td>66</td> <td>32</td> <td>98</td> </tr> </tbody> </table>	Year	Referrals	Other	Total	2022/23 Q1	70	27	97	2022/23 Q2	66	32	98	
Year	Referrals	Other	Total													
2022/23 Q1	70	27	97													
2022/23 Q2	66	32	98													
16.	Enforcement actions	One Formal action per officer	Investigations are ongoing. Cases related to Trade Marks offences have an unlimited time limit but staff are on target to submit at least one report within one year.													
17.	POCA	Complete 2 financial investigations. Train 3 FI officers	Trainees are completing the work required to obtain their qualifications and complete their Personal Development Plans to obtain authorisation. This involves contacting financial institutions and reviewing banking data. One case to be submitted via a section 16 statement on 25th October 2022..													

15.	Complaints and service requests	Respond to complaints and service requests.	To the end of Q2 2022 there were a total of 195 consumer complaints received from members of the public.										
16.	No of scam victims supported	Total no of victims identified in the month by the NTS National Scams Team	<table border="1"> <thead> <tr> <th data-bbox="655 360 1011 423">Quarter</th> <th data-bbox="1011 360 1366 423">Number</th> </tr> </thead> <tbody> <tr> <td data-bbox="655 423 1011 486">Q1</td> <td data-bbox="1011 423 1366 486">3</td> </tr> <tr> <td data-bbox="655 486 1011 548">Q2</td> <td data-bbox="1011 486 1366 548">14</td> </tr> <tr> <td data-bbox="655 548 1011 611">Total</td> <td data-bbox="1011 548 1366 611">17</td> </tr> </tbody> </table>		Quarter	Number	Q1	3	Q2	14	Total	17	
Quarter	Number												
Q1	3												
Q2	14												
Total	17												

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Corporate Committee - Draft Work Plan 2022/23

28 June 2022				
1	HR Policy Review (if required)		To Approve	Ian Williams (Stuart Thorn)
2	Enforcement and Environmental Protection Service Delivery Plans 2022/23	The report sets out the service delivery plans for the 2022/23 financial year.	For Information And Comment	Ajman Ali (Gerry McCarthy)
3	Business Regulation Service Delivery Plans 2022/23	The report sets out the Business Regulation Service delivery plans for the 2022/23 financial year.	For Information And Comment	Ajman Ali (Gerry McCarthy)
4.	Environmental Enforcement - Annual Performance Report 2021/22	The report sets out the annual performance report across the environmental enforcement remit for the 2021/22 financial year.	For Information And Comment	Ajman Ali (Gerry McCarthy)

13 September 2022				
1	HR Policy Review (if required)		To Approve	Ian Williams (Stuart Thorn)
2	Regulatory Services Service Plan Update 2021/22 Deferred to 13 December 2022	This report provides an update on the performance of the Food Safety (The Food Law Enforcement	For Information And Comment	Ajman Ali (Gerry McCarthy)

		Service Plan is		
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		a statutory plan) and Trading Standards Services against the Plan		
3	Update on policies for tables and chairs on pavements (Reports 3 & 4 to be combined into a single report and deferred to 14 March 2023)	Update on policies for tables and chairs on pavements	For Information And Comment	Ajman Ali (Daniel O'Sullivan)
4	Annual Report of the Public Realm (Reports 3 & 4 to be combined into a single report and deferred to 14 March 2023)	Report detailing the Council's activities and performance to keep the borough's pavements clear.	For Information And Comment	Ajman Ali (Andy Cunningham)
5	Planning Authority Monitoring Report April 2020 - March 2021 Deferred to 13 December 2022	The AMR provides monitoring information on spatial planning related activity for the financial year 2020/21 & 2021/22 to inform and monitor policy development and performance	To approve	Ajman Ali (Natalie Broughton)

13 December 2022				
1	HR Policy Review (if required)		To Approve	Ian Williams (Stuart Thorn)

2	Pay Policy Statement 2022/23	Localism Act 2011 requires the Council to publish an annual pay statement for Chief Officer Pay.	To Approve	Ian Williams (Stuart Thorn)
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14 March 2023				
1	HR Policy Review (if required)		To Approve	Ian Williams (Stuart Thorn)
2	Annual Performance Report Of The Noise Service 2022/23	The annual report sets out the development of the Council's response to noise nuisance.	For Information And Comment	Rickardo Hyatt (Gerry McCarthy)
3	Annual Report of the Public Spaces Protection Order (PSPO) 2022/23	Annual report on the Public Spaces Protection Order.	For Information And Comment	Rickardo Hyatt (Gerry McCarthy)
4	Update on the Public Realm and policies for tables and chairs on pavements	Report detailing the Council's activities and performance including policies for tables and chairs on pavements	For Information And Comment	Rickardo Hyatt Daniel O'Sullivan & Andy Cunningham

Updated: 2 December 2022

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