



C O U N C I L

All Members of the Council are
HEREBY SUMMONED
to attend a meeting of the Council
to be held on:

Monday, 24 July 2023 at 7.00 pm
Hackney Town Hall,
Mare Street, E8 1EA

Live stream link: <https://youtube.com/live/-aCP-4xwL1Y>

Backup link: <https://youtube.com/live/M8xk3-KUBTg>

Ian Williams
Acting Chief Executive
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www.hackney.gov.uk

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MEETING OF COUNCIL MONDAY, 24 JULY 2023 ORDER OF BUSINESS

1 Apologies for Absence

2 Speaker's Announcements

2.1 Tributes to Baron Clinton-Davis, of Hackney (1928 - 2023)

3 Minutes of the Previous Meeting: Enclosed (Pages 13 - 22)

To consider the minutes of the Annual Meeting held on 17 May 2023

4 Declarations of Interest

Members are invited to consider the guidance which accompanies this agenda and make declarations as appropriate.

5 Petitions for Debate

Hackney Council has closed numerous roads across the borough without any consultation by abusing COVID powers. The road closures have caused a major impact for the local residents and businesses, as they are unable to access their residence and business premises. The few remaining roads are gridlocked all day and not just during rush hour. This is also causing major pollution on the gridlocked roads and will also impact the emergency services response times

We request:

1. That the road closures are reversed
2. That the Council carry out a public consultation so that the local people can tell you what they want.
3. A meeting with Mayor Philip Glanville and discussion at Full Council meeting

Lead Petitioner: Ruth Parkinson

6 Questions from Members of the Public

The deadline for questions from members of the public is 12 noon, four clear working days before the meeting (Monday, 17 July). If you wish to submit a question you can do so by emailing governance@hackney.gov.uk or via the Council's website.

A supplementary agenda setting out any public questions received after the publication of the main agenda will be circulated shortly after this deadline.

7 Questions from Members of the Council

7.1 From Cllr Binnie-Lubbock to the Mayor

Will the Mayor condemn the Defence and Security Equipment International (DSEI) arms fair due to take place in East London in September and make it clear that Hackney is a place of sanctuary and diversity?

7.2 From Cllr Walker to the Cabinet Member for Climate Change, Environment and Transport

With energy prices skyrocketing, and a climate disaster impending, it's clear the status quo for our energy market simply isn't working and we need bold, new solutions to tackle some of the biggest challenges we face as a country. Hackney's Community Energy Fund is already helping decarbonise 14 landmark buildings and reduce their energy bills. Can the Cabinet Member for Climate Change, Environment and Transport commit to continuing with the Community Energy Fund to fund future capital works?

7.3 From Cllr Garbett to the Mayor

I'm concerned that the administration has got rid of its Councillor Markets Champion at a time when it is needed most. Can you commit to reinstating the post, with independence to speak out for traders?

7.4 From Cllr Turbett-Deloff to Cabinet Member for Health, Adult Social Care, Voluntary Sector and Culture

In the month of the NHS' 75th birthday, we recognise that we could not live without its life saving care, which, vitally, is free at the point of access. The NHS was created by a Labour Government, yet the Tories are doing their best to break it. After 13 years of Tory Party underinvestment, we have a mental health service crisis which is seeing a staggering 1.6 million people on waiting lists. How is the Council working with the NHS to support residents who are impacted by this crisis and waiting for mental health support in Hackney?

7.5 From Cllr Binnie-Lubbock to the Cabinet Member for Climate Change, Environment and Transport

With spiralling costs, falling levels of residual waste and more than 30 breaches of emissions limits at North London's incinerator last year, when will the North London Waste Authority's Edmonton incinerator stop representing best-value for Hackney and London more widely?

7.6 From Cllr Smyth to Cabinet Member for Climate Change, Environment and Transport

Time is running out to address the climate crisis. The King and the Mayor of London have activated a climate clock which counts down the time left to

balance global greenhouse gas emissions to prevent the Earth heating more than 1.5C above pre-industrial levels. Can the Council outline its next steps for how it will work with residents to reduce shared carbon footprint and explore Hackney establishing its own climate clock to further engage residents in our collective battle against climate change?

7.7 From Cllr Garbett to the Mayor

Hackney's Cycling Instructors provide an essential service for residents. Unfortunately, the current pay & conditions (particularly the current cancellation policy) are making the profession unsustainable in the borough. What are you doing to review and improve this?

7.8 From Cllr Patrick to the Cabinet Member for Finance, Insourcing and Customer Service

We know that our communities continue to struggle with rising inflation, increasing interest rates and the impact this has on the cost of living for all our residents. Could the cabinet member for finance update this chamber with the latest developments on what the Council is doing to support residents with the cost living crises and assist with claiming the benefits they are due?

7.9 From Cllr Troughton to Deputy Mayor for Delivery, Inclusive Economy & Regeneration

Due to the cost of living crisis hitting even relatively well-off homeowners and the rising cost of materials, small and medium sized local builders are really struggling to find work. Simultaneously, the Council is unable to complete some major works because it is unable to appoint suitable contractors. Given the Council's commitment to supporting local Small to Medium- sized Enterprises (SME's), what is the council doing to help local builders, who are vital to the local economy, to make the step up into public works. e.g, by breaking contracts into manageable sizes for SME's or bringing together consortia?

7.10 From Cllr Samatar to the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Culture

Vapes are being promoted as an aid to quit smoking, but at the same time there are worrying stories about young people vaping. Please can the cabinet member for health update us on the current thinking around vapes and vaping and what the Council is doing to support our partners in the NHS on this issue?

7.11 From Cllr Potter to the Mayor

This July many residents, local and far, enjoyed the large music events in Finsbury Park. However, some residents have complained that the impact of building vibrations during the events was excessive and frightening for many residents. Can you outline how the Council is working with neighbouring boroughs to reassure our local residents regarding their concerns about cumulative structural damage to their homes?

- 8 Elected Mayor's Statement**
- 9 Annual Update on Progress with Decarbonisation Commitments** - Report of the Cabinet Member for Climate Change, Environment and Transport: Enclosed (Pages 23 - 86)
- 10 Adoption of Council Constitution** - Report of the Director of Legal, Democratic and Electoral Services: Enclosed (Pages 87 - 616)
- 11 Statement of Licensing Policy 2023-2028** - Report of the Group Director, Climate Homes and Economy: Enclosed (Pages 617 - 708)
- 12 Members' Allowances Scheme 2023/24** - Report of the Acting Chief Executive & Group Director Finance and Corporate Resources: Enclosed (Pages 709 - 736)
- 13 Appointment of Interim Chief Executive (Head of Paid Service) and Returning Officer, Appointment of Interim Group Director Finance and Appointment of Acting Director of Legal, Democratic and Electoral Services and Monitoring Officer** - Report of the Acting Chief Executive & Group Director Finance and Corporate Resources : Enclosed (Pages 737 - 740)
- 13.1 Vote of thanks to the Outgoing Acting Chief Executive & Group Director Finance and Corporate Resources
- 14a Motion 1 - Hackney, A Borough of Sanctuary**

This Council notes:

- That the Coalition and successive Conservative governments' "Hostile Environment" policies deliberately make life hard for refugees, asylum seekers and for those who cannot prove their right to remain in the UK.
- During the Windrush 75th anniversary year, the government is rowing back on key recommendations made by Wendy Williams in the 2020 Lessons Learned Review: to create a the post of Migrants' Commissioner; increase the powers of the Independent Chief Inspector of Borders and Immigration (ICIBI) to publish reports; and to run a series of reconciliation events with members of the Windrush Generation to discuss the impact of the scandal on their lives.
- The Government's cruel treatment of the Windrush Generation has forced many Hackney residents who were born in the UK, to go through unnecessary amounts of distress, with some being deported.
- The Council will continue to celebrate tolerance and diversity and welcome refugees and migrants. The Council has already welcomed refugees from Afghanistan, Syria, Ukraine and through formal schemes, who have made Hackney their home over the last 5 years.

- The Government's underfunding of the immigration system and the impact of migrant and refugee communities results in delayed decision making on applications, unjustifiably high and unreasonable fees for immigration applications, and the harsh reality of being excluded from fully participating in society for those who are granted leave to remain in the UK, but who have No Recourse to Public Funds (NRPF).
- The Home Office NRPF policy is inhumane and fails to comply with the legal obligation to safeguard and promote the welfare of children. It has also been found unlawful by the High Court for the third year in a row.
- That the pandemic has brought further difficulties for refugees and migrants, including insecure work, lack of access to decent housing and digital exclusion.

This Council further notes:

- That Hackney celebrates our borough's history of being a welcoming borough, and welcoming everybody, regardless of their background. The Council recognises the contribution of refugees, migrants and those seeking sanctuary to the Borough of Hackney. We are committed to welcoming and including them in all of our activities and actively seek ways in which we can support them.
- That, throughout the pandemic, Hackney Council's support services were open to anyone who needed them, no matter their immigration status.
- Despite limitations imposed by central government, Hackney Council continues to try to find ways to support people with NRPF. For example, the Council has extended eligibility for free school meals to include some children of groups who have no recourse to public funds.
- The Council celebrates Refugee Week annually and publicly shares and celebrates the contribution of refugees and migrants in Hackney.
- That the Council is committed to our refugee and migrant communities. We support the initiative to make Hackney a recognised 'Borough of Sanctuary,' welcoming those fleeing violence and persecution and offering them safety.

This Council resolves to:

- **Join a network of cities and towns which promote the inclusion and welfare of people who are fleeing violence and persecution in their own countries and become a recognised "Borough of Sanctuary".**
- **Continue to celebrate the contribution of refugee and migrant communities to Hackney.**
- **Continue to work with organisations in Hackney who support refugees, asylum seekers and migrants in the borough to create an inclusive and welcoming borough for those seeking sanctuary here.**
- **Challenge anti-refugee and anti-migrant attitudes wherever they are found.**
- **Continue to lobby the government to reform the No Recourse to Public Funds condition so that people are no longer blocked from fully participating in society for years while they wait for their status to be resolved.**

- **Continue to put pressure on the Government to reverse the Home Secretary's plans to abandon key Commitments on the Windrush Compensation Scheme, following the publication of the lessons learned review, and for the Scheme to be run independently from the Home Office.**
- **Work with local businesses and community partners to further tackle the digital divide, provide affordable access to online services and look at ways to donate IT devices locally to those in need, rather than scrapping them.**

Proposer: Cllr Sophie Conway

Seconder: Cllr Midnight Ross

14b Motion 2 - Working Towards Becoming a Fertility Friendly Borough

This Council notes:

- That Infertility is defined by the World Health Organisation as a disease of the reproductive system.
- In the UK, it's estimated approximately 1 in 6 heterosexual couples will struggle to conceive, or 3.5 million people per year. However, this number does not include same-sex couples, single or trans people who must also be afforded the right to try for a family.
- Although often seen as a women's health issue, the reality is that both men and women are just as likely to face fertility problems. Data from the fertility regulator, the Human Fertilisation and Embryology Authority, shows that male infertility is the most common reason for a couple to start treatment.
- We welcome the sector leading work of NHS North East London in consulting on and then committing to more equitable access to treatment for all who need it. As a borough we stand on a long history of campaigning around NHS provision and believe all who face fertility issues must be treated with the same dignity.
- There is no legal right to time off for fertility treatment. But, if a woman is refused leave, it could be regarded as unlawful sexual discrimination. It can be ruled that a failure to accommodate conditions specific to women are unlawful.
- The Trade Union Congress (TUC) has asked the Equal Opportunities Commission to recommend leave for fertility treatment in their equality law reform submission.

This Council:

- Welcomes the sector leading work of NHS North East London in consulting on and then committing to more equitable access to treatment for all who need it. As a borough we stand on a long history of campaigning around NHS provision and believe all who face fertility issues must be treated with the same dignity.

Hackney Council is therefore pleased to announce its commitment to becoming a fully Fertility friendly borough as endorsed by the national charity Fertility Network UK, and resolves:

- To begin to work towards becoming a beacon of best practice via training for staff and managers, working towards policy implementation and committing to ongoing support for staff facing fertility issues.
- To campaign for places of work within the London Borough of Hackney to be Fertility friendly, supportive to staff and to join the work of Fertility Networks own Fertility in the Workplace initiative.
- To write to the Government to act upon its own recommendations in the women's health strategy and the recommendations of NICE in fully implementing three cycles of IVF for all who are eligible.
- To call for the implementation of recommendations in the national Government's Women's Health Strategy that same sex couples be afforded the same access to treatment as heterosexual couples.
- To commit to marking fertility awareness week each year as a Council thereby recognising the need to support and help many of our residents facing this issue.

Proposer: Cllr Sem Moema

Secunder: Cllr Sheila Suso-Runge

Dates of Future Meetings

Members are requested to note the dates of Full Council meetings for 2023/24.

All meetings of Full Council will commence at 7.00pm and are scheduled as follows:

- 27 September 2023
- 29 November 2023
- 24 January 2024 (Calculation of Council Tax & Business Rates)
- 28 February 2024 (Budget Setting)

Public Attendance

The Town Hall is open. Information on forthcoming Council meetings can be obtained from the Town Hall Reception.

Members of the public and representatives of the press are entitled to attend Council meetings and remain and hear discussions on matters within the public part of the meeting. They are not, however, entitled to participate in any discussions. Council meetings can also be observed via the live-stream facility, the link for which appears on the agenda front sheet of each committee meeting.

On occasions part of the meeting may be held in private and will not be open to the public. This is if an item being considered is likely to lead to the disclosure of exempt or confidential information in accordance with Schedule 12A of the Local Government Act 1972 (as amended). Reasons for exemption will be specified for each respective agenda item.

For further information, including public participation, please visit our website <https://hackney.gov.uk/menu#get-involved-council-decisions> or contact: governance@hackney.gov.uk

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 of 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.