



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:

Wednesday, 27 September 2023
at 7.00 pm
Hackney Town Hall,
Mare Street, E8 1EA

Live stream link: <https://youtube.com/live/iiD1iljkPQY>

Backup link: https://youtube.com/live/gHNh_aLLEXk

Dawn Carter-McDonald
Interim Chief Executive
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www.hackney.gov.uk

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MEETING OF COUNCIL

WEDNESDAY, 27 SEPTEMBER 2023

ORDER OF BUSINESS

1 Apologies for Absence

2 Speaker's Announcements

3 Declarations of Interest

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

4 Minutes of the Previous Meeting: Enclosed (Pages 19 - 60)

To consider the minutes of the meeting held on 24 July 2023

5 Deputations

Victoria Park - A solution to South Hackney's Traffic Problems

As long-term residents of Victoria Park Road (VPR), we live with an inexorable increase in traffic related problems, including high pollution levels, noise, and danger to vulnerable road users (pedestrians and cyclists).

With the advent of Sat-Nav, this mile-long stretch of road has become a short-cut from the A12 for heavy goods vehicles and cars. VPR was neither designed for lorries nor for this quantity of vehicles. Most are not local.

Our ideas could remedy the situation and not for the first time, we respectfully ask Hackney Council to work with Tower Hamlets, Transport for London (TfL) and the Department for Transport, to implement some, or all, of the following:

1. Reduce commercial and heavy goods vehicles, by implementing a weight restriction with an exemption for TfL buses like the 388.
2. Monitor air quality where queues regularly form.
3. In the morning rush hour, adjust the phasing of the traffic lights at the junction of Cambridge Heath/Hackney Road to improve traffic flow and reduce tailbacks.
4. Enlarge the yellow boxes at the Mare St/VPR junction to protect the pedestrian crossings.
5. Enforce the 20mph speed limit and yellow box restrictions, either with average speed check cameras or CCTV at key locations.

Deputation Leader: Christine Jackson

Introduced by: Cllr Penny Wrout

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 (Wednesday, 20 September). 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 Clare Potter to the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Culture

This winter the voluntary sector, faith groups and community hubs are gearing up to provide warm spaces, food and advice to some of our most vulnerable residents during the ongoing cost of living crisis. What kind of support and partnership will the Council be providing residents across the borough?

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

As we continue to seek to alleviate the financial burden on our residents due to high energy bills, can the Cabinet Member provide an update on the measures and strategies the Council is planning to implement in order to create a more sustainable and affordable energy supply chain within Hackney?

7.3 From Cllr Lee Laudet-Scott to the Cabinet Member for Employment, Human Resources and Equalities

Since 2016, Hackney Works has launched a number of successful employment pathway programmes, including supported Internship programmes and paid work experience including Hackney 100 and Hackney Apprenticeship Network adding huge value to the local job sector. As a result, how many have gone into full time or part time work?

7.4 From Cllr Ben Hayhurst to the Cabinet Member for Health, Adult Social Care, Voluntary Sector and Culture

Please can the Cabinet Member provide an update on the Metropolitan Police announcement that they will stop attending mental health calls from October, whether this is moving ahead and the impact this will have on the local system?

7.5 From Cllr Sarah Young to the Cabinet Member for Climate Change, Environment and Transport

Since the introduction of the Sir Thomas Abney school street, signs and cameras have been repeatedly vandalised, and children continue to be at risk from careless and inconsiderate drivers. What steps are being taken to identify and prosecute the offenders and to ensure that the school street serves its function?

7.6 From Cllr Sharon Patrick to the Cabinet Member for Climate Change, Environment and Transport

Despite the efforts of the Council's Waste Management service, there has been an increase in the escalation of fly tipping and rubbish being dumped in Kings Park Ward. Could the Cabinet Member inform the Chamber about what actions, including enforcement measures, are being taken to deal with this issue?

8 Statutory Deputy Mayor's Statement

9 Changes to Cabinet Portfolios - Report of the Statutory Deputy Mayor: Enclosed (Pages 61 - 68)

10 Rename Aske Gardens to Joe White Gardens - Report of the Cabinet Member for Employment, Human Resources and Equalities: Enclosed (Pages 69 - 74)

11 Audit Committee Annual Report- Report of the Cabinet Member Finance, Insourcing and Customer Service: Enclosed (Pages 75 - 90)

12 Overview and Scrutiny Annual Report - Report of the Chair of Overview and Scrutiny: Enclosed (Pages 91 - 148)

13 Resolution To Extend Six Month Rule - Section 85 Local Government Act 1972 - Report of the Interim Chief Executive: Enclosed (Pages 149 - 152)

14 Appointments to Commissions and Committees - Report of the Acting Director of Legal, Democratic and Electoral Services (Pages 153 - 160)

15 Motions

15a Labour Motion- 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

Seconder: Cllr Ian Rathbone

15b Labour Motion - Mental Health: A Human Right For All

This Council notes that:

- Across the UK there is an undeniable Mental Health crisis. In Hackney local mental health services are struggling to keep up with rising demand for the services available. The most recent figures point to nearly a quarter of the borough's population over 16 are suffering from common mental health disorders.
- Inadequate Government funding for NHS delivered Mental Health services has amounted to 1.6 million people reported on waiting lists in the UK, leaving local mental health services unable to meet demand. Hackney waiting times are now 2-4 weeks for NHS Talking Therapies and up to 6 weeks for the Wellbeing Network, a service for residents with more complex mental health

needs. For some specialist secondary care services waiting times can be up to a year.

- There is an urgent need to place mental health on an equal parity with that of physical health.
- The lack of parity has led to care and support being wrongfully and inhumanely applied as an option, not as a right.
- Young people are amongst those who suffer the most whilst waiting for support. Children and Adolescent Mental Health Service (CAMHS) has reported across the UK a 109% increase in referrals. Young Minds 2021 survey reported that:
 - 10% of young people were turned away from support
 - 26% have attempted suicide as a result of having to wait for support and
 - 58% said their mental health had worsened during this excruciating wait

Hackney's CAMHS referrals increased sharply following the pandemic from 3,826 across all three local NHS CAMHS services in 2018/9 to 5,502 in 2021/22. In April to June 2018/19 there were 158 young people waiting for an assessment across the three services, in April to June 2022/23 this number has risen to 356.

- The Office for National Statistics in 2022 reported that there were 5,583 suicides attributable to mental health reasons registered in England and Wales; of those deaths, 74% were male and 26% female. In 2021 17 Hackney residents took their own lives. Mental ill-health one of the most common risk factors for suicide.
- Suicide remains the biggest cause of death in men under the age of 50 in the UK. Females aged 24 years or under have seen the largest increase in suicide rate since 1981.
- A combination of Government austerity policies over the last ten years and the COVID pandemic have had a direct impact on individuals and their mental health and wellbeing and exacerbated the already existing crisis in mental health care in the UK.

Council believes that:

- Access to Mental Health services and support is not an option, it's a Human Right.
- The global call made by the Human Rights Council for the United Nations and from the World Health Organisation European Region that identifies mental health as a basic Human Right will bring definition to services and ensure parity with physical health in our care system.

Council resolves to:

1. Call on the Elected Mayor to lobby Government on behalf of the Council for Mental Health to be recognised as a fundamental Human Right and to call on Government and the NHS to ensure resources are made available to support Hackney's local mental health services.
2. Working in partnership with the local NHS, the Council will continue to ensure that Hackney residents have access and the awareness of existing mental health services and support.

3. Promote the WAMHS (Wellbeing and Mental Health in Schools programme) service available to every child in a Hackney school that helps meet their mental health needs for all students, staff and the parent community.
4. Advocate to local businesses and organisations the adoption and implementation of mental health promoting policies and training
5. Support a Hackney Mental Health Week, to coincide with World Mental Health Day each October. Working with partners the day will aim to identify the impact social inequalities have on the communities' mental health, promote support providers, ensure suicide prevention programmes are identified and work with existing local mental health networks and organisations to further improve outreach, accessibility and the support available

Proposer: Cllr Claudia Turbet-Delof

Seconder: Cllr Chris Kennedy

15c Green Motion -Call for an Independent Investigation Following the Resignation of the Mayor of Hackney

This Council notes:

- The former Mayor of Hackney tendered his resignation on the 15th of September 2023
- He had misled the public in relation to his actions in the immediate aftermath of being informed by the council of Mr Dewey's arrest.
- The former Mayor was under investigation by the Labour Party for his behaviour.
- The Mayor failed to live up to at least four of the seven Principles of Public Life. He has avoided accountability, failed to act with openness and transparency, been dishonest with the public, and failed to show leadership by exhibiting these principles in his own behaviour.
- The former Mayor called partying with Mr Dewey after learning about his arrest "an error of judgement" and has apologised and has stated that he takes full responsibility for "not being as transparent as [he] should have been".

The Council believes that:

- An independent investigation is still required into who knew what and when about Mr Dewey's arrest and what actions they took, both within the Labour Party and within the council.

This Council therefore resolves to:

- Explore all possible avenues by which an independent investigation can be held into who knew what, when and what actions they took following the raid on Mr Dewey's home by the National Crime Agency (NCA) in the Council.
- Write to the chair of the Hackney Labour Party to call for them to hold an independent investigation into who knew what, when and what actions they took following the raid on Mr Dewey's home by the NCA, in the Labour Party.

Proposer: Cllr Zoë Garbett

Secunder: Cllr Alastair Binnie-Lubbock

15d Green Motion - Include a Ban on High-Carbon Advertising in the Council's Advertising and Sponsorship Policy

This Council notes:

- That the Council's Corporate Advertising and Sponsorship Policy 2022 was adopted by the Cabinet Procurement and Insourcing Committee on 16/01/2023. However, to date, it has not been implemented across sites run by the Council.
- The policy outlines a number of products and services which will not be accepted on council-owned media, including the promotion of products high in fats, sugars and salts (HFSS), alcohol, knives or weapons and gambling services. These proscribed products and services would undermine the Mayor's priorities as set out in the strategic plan for a fairer, safer, healthier Hackney working together for every child. However none of the products or services currently banned address the "greener" priority.
- The policy states that it "will be subject to ongoing updates made by the Council on a regular and reasonable basis."

This Council believes that:

- Advertising can be used to induce demand for products and services where there may be no actual need, and where the products and services run counter to the council's stated policies, aims and objectives.

This Council also notes that:

- London borough of Hackney declared a Climate Emergency in 2019 committing to reach net zero emissions by 2040. In 2022, the Council passed the Climate and Ecology Bill, declaring its intention to bring forward its net zero target to 2030 so it can join the UK100 network.
- Hackney's Climate Action Plan emphasised the Council is only directly responsible for 5% of the borough's territorial emissions and that the Council must take a leading role in encouraging and supporting behavioural change in individuals, institutions and businesses.
- Hackney's Climate Action Plan notes that 15% of Hackney's emissions are from transport and aviation accounts for 7% of that amount.
- One of Hackney's Climate Action Plan goals is for goods to be repaired and reused, and for us only to buy what we need.
- Last year a nationally representative survey of UK public attitudes found that over two-thirds (68%) of UK adults said that they would restrict the advertising of environmentally harmful products.

In addition this Council notes:

- The legal opinion, as part of the due diligence in addressing the role of advertising in fuelling the climate emergency, of Richard Wald KC of 39 Essex Chambers, commissioned by the New Weather Institute on behalf of Badvertising and Adfree Cities, which provides legal advice to local councils

implementing policies to restrict advertising for environmentally-damaging, high-carbon goods and services.

- Richard Wald KC's legal opinion outlines how:
 - The adoption of an advertising policy banning 'high-carbon' advertising is squarely within the powers available to local authorities and therefore prima facie lawful.
 - The legal risks of adopting a high-carbon advertising ban are limited and the prospect of a successful challenge is low.
 - Councils have broad scope to design a policy according to their discretion, despite a lack of a national definition of 'high carbon', with effective precedents already set and working in practice.
- In broad terms 'high-carbon' products and services, are those which are environmentally damaging and which must be phased out or limited to reach the UK's climate goals. These include fossil fuels, internal combustion vehicles and aviation.
- Councils leading the way with policies restricting high-carbon advertising include Cambridgeshire County Council, Basingstoke and Coventry.
The Council resolves to:

Add to the Advertising and Sponsorship Policy 2022:

- a clause that prohibits those whose business activities/practices do not align with the Council's wider values, corporate objectives and strategic goals, such as the environment and carbon accounting. Exceptions may be considered if the companies, partnerships, organisations or individuals involved can prove that less than 5% of their overall income is derived from any of the excluded products and services.
- Encourage event partners to consider their advertising and sponsorship policies in light of the borough's carbon reduction goals, and where possible, stipulate that a policy on high-carbon advertising and sponsorship is a requirement in negotiations about the council's support.
- Add a link to the Advertising and Sponsorship Policy on all relevant pages on the council's website including where promoting advertising space in Love Hackney freesheet.
<https://hackney.gov.uk/hackney-today-life-advertising>
- To implement the agreed Advertising and Sponsorship Policy as soon as feasible.

Proposer: Cllr Alastair Binnie-Lubbock

Seconder: Cllr Zoë Garbett

15e Green Motion - Defending Our Democratic Rights

This Council notes that:

- On 2 May 2023 the final stages of the Public Order Bill passed through the House of Lords, which gives the Police greater powers to restrict people's democratic right to protest in England and Wales.

- The Act grants the Police new powers to prevent protests occurring outside of major transport networks, oil and gas and energy supplies, making “locking on” a new criminal offence, expanding Stop and Search to include suspicionless stop and search, and enacts new individual protest bans under ‘Serious Disruption Prevention Orders’.
- Article 11 of the Human Rights Act 1998 enshrines the Right to Peaceful Assembly into British law, guaranteed by Articles 10 and 11 of the European Convention on Human Rights (ECHR)
- A Legislative Scrutiny Report published by the Joint Committee on Human Rights called for key measures in the Public Order Bill to be amended or removed in order to reverse the “chilling effect” it is likely to have on the right to protest.
- This report found that these offences have a very wide scope and criminalise those legitimately exercising their Article 10, 11, 8 and Article 6 rights.

This Council also notes that:

- The Public Order Act 2023 has been criticised by Amnesty International, Liberty, Equality and Human Rights Commission (EHRC), and the UN Human Rights Commissioner.
- It follows on from the Police, Crime, and Sentencing Act 2022 which was also accused of infringing upon democratic freedoms by human rights organisations.
- The Government lost a vote in the Lords on the Public Order Bill 2023 to change the interpretation of ‘serious disruption’ of other people’s day-to-day activities to mean ‘anything more than minor’. The Lords opposed this change by 254 votes to 240 in May
- The government reintroduced the change by Statutory Instrument.
- Green peer, Jenny Jones, put forward a fatal motion to stop this unprecedented and anti-democratic move by the government. Unfortunately, Labour peers abstained, so it passed.

The Council further notes that:

- The Right to Protest is a fundamental pillar of democracy.
- The objective of a protest is to peacefully disrupt and agitate for change. The anti-apartheid and Civil Rights Movement, Women’s Suffrage, Gay Pride, workers’ rights and a government commitment to carbon zero by 2050 have been achieved through protest and public disruption.
- The Public Order Act is already having a ‘chilling effect’ on our right to protest.
- The King's Coronation in May saw over 60 people arrested by the Police, many of those on grounds of public nuisance and breaches of the peace for holding signs, chanting, reporting on the protests and standing in close proximity to those protesting.
- The police initially used the ‘lock on’ ban in the Public Order Act to justify some of these arrests and deployed the largest ever use of live facial recognition technology in the UK
- Police have written to residents of the Hackney area, warning them that Live Facial Recognition will be deployed at an unknown time and location in September 2023.
- This technology is over 80% inaccurate according to the Met’s own statistics.

- Amnesty International, Liberty and the EHRC have called for a ban of facial recognition technology, with reports from Amnesty International finding that it is a violation of privacy rights, is antithetical to democracy, disproportionately impacts people of colour, exacerbates systemic racism, and puts Black people at a greater risk of being misidentified.
- Baroness Casey's Report into the Metropolitan Police Service found that there was a deepening mistrust of the force which is institutionally racist, sexist, homophobic and 'broken', compounded by a culture of denial and obfuscation.
- Expanding the use of stop and search at protests without reasonable suspicion is likely to unjustly impact Black and Asian heritage people, and infringe upon their Article 14 right to non-discrimination.
- The Met Commissioner himself has stated that the present use of stop and search 'burns through trust'.

This Council welcomes:

- The Administration's ongoing work with the Met Police Commissioner and local Borough Commander on improving standards after the Casey Report and City and Hackney Safeguarding Children Panel Child Q reports.
- The co-production of a local action plan with Hackney communities, the Met and the council on improving trust and confidence.

This Council resolves to:

- Write to the Prime Minister to urge him to repeal the draconian Public Order Act and protect our fundamental democratic freedoms.
- Meet with the Met Commissioner to express strong dissatisfaction with the heavy-handed policing witnessed at the King's Coronation and the increasing use of live facial recognition technology across London.
- [U2]"Follow Newham and Lambeth Council's request for an urgent suspension of the use of live recognition technology in Hackney, due to the risk it poses to privacy and freedom of expression, a lack of sufficient safeguards against discrimination and an absence of biometrics regulations, and write to the Home Office, the Mayor of London, and the Metropolitan Police Service to make its opposition to LFR technology clear.
- Ensure Hackney's local action plan on policing involves consideration of alternative ways to keep communities safe, and includes community education on the Police, Sentencing and Crimes Act 2022, and the Public Order Act 2023, so that Hackney residents are briefed on their rights.

Proposer: Cllr Zoë Garbett

Seconder: Cllr Alastair Binnie-Lubbock

15f Green Motion - Motion - Standing up for Responsible Tax Conduct: Councils for Fair Tax Declaration

Hackney Council notes that:

- The pressure on organisations to pay their fair share of tax has never been stronger.

- Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
- Two thirds of people (66%) believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.
- Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
- It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17bn per annum in lost corporation tax revenues.
- The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.

Hackney Council believes that:

- Paying tax is often presented as a burden, but it shouldn’t be.
- Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
- As recipients of public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
- Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.
- More action is needed, however, as current and proposed new UK procurement law significantly restricts councils’ ability to either penalise poor tax conduct (as exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.
- UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.
- The following local authorities have approved the “Councils for Fair Tax Declaration” to date: Barnet, Brent, City of Westminster, Enfield Council, Hammersmith & Fulham, Haringey, Lambeth, London Borough of Richmond upon Thames, Royal Borough of Greenwich, Southwark Council in addition to thirty-nine other Councils across the UK and the London Assembly.

Hackney Council resolves to:

- Approve, and publicly declare its support for, the Councils for Fair Tax Declaration and enact the Declaration through the points below.
- Lead by example and demonstrate good practice in our tax conduct, right across our activities.
- Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.

- Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
- Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
- Demand clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
- Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
- Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.
- Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

Proposer: Cllr Zoë Garbett

Seconded: Cllr Alastair Binnie-Lubbock

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:

- 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 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.