

**MINUTES OF A MEETING OF THE CABINET
MONDAY 27 NOVEMBER 2023**

THE COUNCIL CHAMBER, HACKNEY TOWN HALL,
MARE STREET, LONDON, E8 1EA

- Councillors Present: **Mayor Caroline Woodley in the Chair**
- Deputy Mayor Anntoinette Bramble (Vice-Chair),
Cllr Robert Chapman, Cllr Mete Coban,
Cllr Susan Fajana-Thomas,
Cllr Christopher Kennedy, Cllr Clayeon McKenzie,
Cllr Guy Nicholson and Cllr Carole Williams (Part)**
- Officers in Attendance: **Mark Agnew, Governance Officer
Peter Algacs Engagement and Participation Team
Leader
Graham Callam, Growth Team Leader
Dawn Carter-McDonald, Interim Chief Executive
Adam Dyer, Principal Conservation and Design
Officer
Louise Humphreys, Acting Director of Legal,
Democratic & Electoral Services
Rickardo Hyatt, Group Director, Climate, Homes
and Economy
Tessa Mitchell, Team Leader, Governance Services
Jackie Moylan, Interim Group Director, Finance**
- Also in Attendance: **Mia Arthur
Arzu Altun
Ronye Bayir
Georgia Carey
Serena Kamara
Leo Muhibzada
Griffin Parker
Representatives of Young Hackney**
- Present Virtually: **Joanna Carr**

1 Apologies for Absence

- 1.1 No apologies were received, but it was noted that Cllr Williams would join the meeting late.

2 Declarations of Interest

- 2.1 During agenda item 15, Schedule of Local Authority School Governor Appointments, all members of the Cabinet confirmed their associations with the nominated individual.

3 Urgent Unrestricted Business

3.1 There was no urgent business for consideration.

4 Notice of Intention to Conduct Business in Private, Any Representations Received and the Response to Such Representations

4.1 No representations were received.

5 Questions/Deputations

5.1 To the Cabinet Member for Climate Change, Environment and Transport, from Nick de Bunsen

With the Council's own July traffic monitoring data for Lordship Park showing almost 1000 vehicles a day driven above the ACPO limit and some in excess of 120mph, how many killed and seriously injured will it take for the Council to take action on dangerous speeding on this residential road?

5.2 In response Cllr Mete Coban, Cabinet Member for Climate Change, Environment and Transport, agreed with the observations relating to speeding and confirmed that the Council was committed to addressing issues of dangerous speeding on residential roads, including Lordship Park. Cllr Coban also confirmed the upcoming meeting that the Council had arranged for local residents to discuss this issue further, and that the Council would be liaising with the Metropolitan Police to ensure enforcement.

5.3 To the Cabinet Member for Climate Change, Environment and Transport, from Joanna Carr

With traffic volumes on Lordship Park now materially higher than before the Stoke Newington LTN was introduced – from the Council's July data – when is the Council going to follow through on its plans to engage with residents and implement plans to reduce and calm traffic on Lordship Park?

5.4 Cllr Coban confirmed that as part of the evaluation of the Stoke Newington Church Street scheme the continuous traffic monitor on Lordship Park showed that traffic was down by 8%. The Council was planning to present these figures to residents ahead of the scheduled meeting, and was looking forward to working with residents to co-produce design proposals.

5.5 In their supplementary question Joanna Carr asked about the proposed introduction of a right hand turn for north bound traffic on Green Lanes at the Manor House and Seven Sisters junction. In response, Cllr Coban confirmed that the Council had been discussing this issue with Transport for London and the London Boroughs of Islington and Haringey. The result of these conversations would be communicated to residents.

6 Unrestricted Minutes of the Previous Meeting of Cabinet

RESOLVED: That the minutes of the previous meeting of the Cabinet held on 23 October 2023 be agreed as a true and accurate record of proceedings.

7 Unrestricted Minutes of the Cabinet Procurement and Insourcing Committee

RESOLVED: That the minutes of the previous meeting of the Cabinet Procurement Insourcing Committee held on 4 September 2023 be noted.

8 Hackney Youth Parliament Presentation

- 8.1 Deputy Mayor Anntoinette Bramble, Cabinet Member for Education, Young People and Children's Social Care, welcomed the newly elected leaders of the Hackney Youth Parliament (HYP) who were in attendance to represent their manifesto priorities to the Cabinet. In their presentation the HYP highlighted their requests, including;
- increased work experience opportunities and an annual careers event;
 - the opportunity to use spaces within the Town Hall;
 - the production of a financial literacy teaching resource pack;
 - a commitment to not reduce front line services for young people;
 - support for young people undertaking exams and improved SEND services;
- 8.2 Mayor Caroline Woodley thanked the HYP leaders and welcomed their presentation. Cllr Bramble, Cllr Coban, Cllr Guy Nicholson, Deputy Mayor for Delivery, Inclusive Economy and Regeneration, and Cllr Susan Fajana-Thomas, Cabinet Member for Community Safety and Regulatory Services, all spoke in response to the priorities that were raised in the presentation and, along with the Mayor, confirmed their support to the work of the Hackney Youth Parliament.

Cllr Williams joined the meeting.

9 F S206 Capital Update and Property Disposals And Acquisitions Report

- 9.1 Mayor Woodley reconfirmed the Council's commitment to investing in Hackney to make the Borough a safer, fairer, and greener place for every child to grow up in, and invited Cllr Robert Chapman, Cabinet Member for Finance, Insourcing and Customer Service, to introduce the report.
- 9.2 Cllr Chapman highlighted the £123k of CIL and S106 funding that had been allocated to start the planning for the 2024 Hackney Carnival; the allocation of £500k for the development of the Woodberry Down Cultural Plan; and proposed disposal of 234-238 Mare Street.
- 9.3 Deputy Mayor Bramble and Cllr Nicholson both spoke in support of the report, and in particular focused on the anticipated benefits for the Woodberry Down neighbourhood from the proposed cultural investment.
- 9.4 Mayor Woodley, using her discretion as Chair of Cabinet, allowed a question without notice from an attending resident.

To the Cabinet Member for Climate Change, Environment and Transport, from Joanna Carr

Is the £4.3million budgeted for Pembury Circus being transferred to 2024/25 , or cut; what is the total resulting redesign budget (including Levelling Up allocation); and will this deliver a holistic redesign of the entire junction, or changes to Amhurst Road (from Pembury Circus-Mare Street) and Pembury Road only?

- 9.5 In response, Cllr Coban acknowledged the issues at Pembury Circus, confirmed that this is a priority location for the Council, and explained the historical issues related to funding, before confirming that a report on Hackney Central and Pembury Circus was scheduled to be on the agenda of the next Cabinet meeting.
- 9.6 In response to the supplementary question seeking confirmation of how much money would be allocated to the Pembury Circus redesign, Cllr Nicholson confirmed that c£9-10m of Levelling-Up funding would be allocated, but this would not be the total figure that would be invested into the area.

RESOLVED:

1. That the CIL Revenue scheme summarised below and set out in section 11 be approved:

Project Description	2023/24 £'000
Carnival 2024	123
Total CIL Revenue for Approval	123

2. That the s106 Capital scheme summarised below and set out in section 11 be approved:

S106	2023/24 £'000	2024/25 £'000	2025/26 £'000	Total
Capital	167	167	167	500
Total S106 Capital for Approval	167	167	167	500

3. That the re-profiling of the budgets as set out in Appendix 1 and summarised below be approved:

S106	2023/24 £'000
Capital	150
Total Capital S106 for Noting	150

4. That the re-profiling of the budgets as set out in Appendix 1 and summarised below be approved:

Current Directorate	Re-Profiling 23/24	Re-Profiling 24/25	Re-Profiling 25/26
	£'000	£'000	£'000
Non Housing	(30,495)	34,657	38
Housing	(10,862)	10,862	0
Total	(41,356)	45,518	38

5. That the capital adjustments of the budgets as set out in Appendix 1 and summarised below be approved:

Current Directorate	Capital Adjustments
	£'000
Non Housing	(284)
Housing	(0)
Total	(284)

6. That the Quarter 2 Capital Monitoring in section 13 be noted.
7. To note the Council has secured additional grant funding (DELUCH LAHF 2) which will enable the budget increase of the Council's Temporary Accommodation investment by £1.55m to £5.75m.
8. To authorise the sale of the freehold of 234-238 Mare Street London E8 1HE, (as described for information purposes only in Appendix 2).
9. To delegate authority to the Interim Group Director of Finance to agree all commercial terms of the transaction.
10. To delegate authority to the Acting Director of Legal, Democratic and Electoral Services to settle, agree and enter into all documentation necessary for this transaction.

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 28 November 2023, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Proposed Disposal of 234-238 Mare Street, London, E8 1HE: The Council has considered the possibility of direct development of this site as a housing regeneration scheme. Officers have considered it as a policy-compliant 50% affordable housing option and a 100% Hackney Living Rent (intermediate rent) option.

The conclusion of this exercise was that at nine dwellings the site is at the smaller end of the Council's programme and would consume disproportionate staff resources for a limited outcome.

The financial return using standard Housing Regeneration assumptions indicates a loss for all options, and generally a weaker value for money indication than the Regeneration portfolio.

The Council would be exposed to a significant construction and development risk at a time when there is great uncertainty in the market.

There is a substantial reputational risk linked largely to the construction risk and the fall out should something go wrong, particularly in the context of the adjacent listed terrace. The Council would also be responsible for the full after care of all the residential properties.

The Council has also considered the possibility of procuring a developer.

This would follow a model similar to that adopted for Dalston Lane Terrace (DLT) whereby the chosen developer would be obliged to build out the scheme as consented

and take the risk of construction onto themselves. Their reward would be to sell the residential units, whilst the Council could either take money or a mixture of the money and the commercial space in payment. The Council taking the letting risk of the commercial space on would make the site much more attractive to residential developers and could even go so far as to fund the construction of the commercial space in return for a larger share payment at completion.

This approach has some resource implications in running a procurement process with close involvement thereafter and it does provide a fair amount of flexibility prior to the start of procurement. Procurement may be an issue though as developers who are both sufficiently experienced in this type of development but small enough to be interested who are prepared to go through that process simply may not exist. The types of developer who may be interested will probably mean a departure from the DLT model where close control was exercised by not giving an interest in the land until practical completion. The size of the firm likely to come forward would probably not have sufficient resources to be able to finance the build without borrowing and that would mean granting an interest in the land at the outset.

There is significant doubt that any firm of the size where this development might be of interest to them and who would be prepared to enter into the procurement process necessary and who has recourse to sufficient funds to build this without the need for borrowing exists. If the Council embarked on this course there is a very real chance that no suitable firm would be forthcoming causing more delay, holding costs and deterioration of the building.

This approach does mitigate risk to some degree, with the developer owning both the construction and the development risk, but the reputational risk of a failed development would still sit largely with the Council.

Officers also considered a structure whereby a developer was under no obligation to build but if they did they would be obliged to develop out the consented scheme. This has the advantage of avoiding a formal procurement and so opening up the market but comes with risks that without any obligation to develop, the developer may choose not to and at the end of the contract, could choose to walk away leaving the Council in a position where it currently is but with a great deal more time passed.

The final option is maintaining the building empty, which is in effect the absence of a decision and would leave the Council with the security bill of approximately £160,000 pa, and the ongoing costs of looking after a deteriorating asset, and the opportunity cost to the Town Centre of an inactive building.

10 F S207 2023/24 Overall Financial Position Report - September 2023

10.1 Mayor Woodley confirmed that both herself and Cllr Chapman had written to the Chancellor of the Exchequer ahead of the Government's 2023 Autumn Statement, seeking a sustainable deal for local councils. Although there was some relaxation around local housing allowances, there was no additional support for the Council's service.

10.2 In his introduction to the report, Cllr Chapman reconfirmed that the Council had lost £150m in real term funding since 2010, which illustrated the financial issues

that had to be tackled, and that there was a current overspend of over £9m forecast for 2023/2024, but that this was being managed by Officers.

RESOLVED:

- 1. To approve the 2024-25 Local London Business Rates Pool recommendations set out in Appendix 1.**
- 2. To note the overall financial position of the Council as at September 2023 as set out in this report.**

REASONS FOR DECISION

To facilitate financial management and control of the Council's finances and to approve the localised pool proposal as set out in Appendix 1.

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

This budget monitoring report is primarily an update on the Council's financial position. With regards to the Pooling proposal we either enter into it or we don't, and if we don't we will forgo a significant amount of income in 2024-25.

11 CHE S277 Hackney Hate Crime Strategy 2023/26

- 11.1 Mayor Woodley stated that Hackney was proud to be a diverse, inclusive, and welcoming borough that would never allow its shared values to be eroded by prejudice and discrimination, noted that some of Hackney's communities had faced increased anxiety in recent weeks about racism and hate, and confirmed that the Council found all forms of racism to be completely unacceptable.
- 11.2 Introducing the report, Cllr Fajana-Thomas explained that the prevention of hate crime in Hackney was one of the Council's main priorities, and that there was a commitment to work with communities and partners to ensure that the Borough was no place for hate. The strategy laid out how victims would be supported; how it would be easier to report hate crimes; the response to those reports; and how community trust would be built and strengthened.

RESOLVED:

That Cabinet approves the Hackney Hate Crime Strategy 2023/26.

REASONS FOR DECISION

A Cabinet decision is required as the Hackney Hate Crime Strategy affects the entire borough, is a key decision and is one of the main community safety priorities under the Community Safety Plan 2023/26.

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable.

12 CHE S268 Statutory Transfer Scheme for the transfer of Planning Powers from the London Legacy Development Corporation to Hackney

- 12.1 Mayor Woodley, highlighting the success of the legacy of the London 2012 Olympic and Paralympic Games, welcomed the new opportunities that the proposed return of planning decision making powers back to Hackney would create.
- 12.2 Cllr Nicholson spoke of his pride in the achievements of the Council in Hackney Wick over the last 24 years, since the very first conversations about a possible bid for the 2012 Games took place. The return of the planning powers and authority would ensure they would again be subject to local democracy, local decision making, and local control.

RESOLVED:

- 1. Approve the Statutory Transfer Scheme for the transfer of Planning Powers from the London Legacy Development Corporation to Hackney (appendix 1)**
- 2. Note the supporting documents that have been established to support the Statutory Transfer Scheme including: Joint working protocol for Development Management and Enforcement (appendix 2), Protocol for transfer of LLDC CIL and S106 monies (appendix 3), a Data Transfer Scheme (appendix 4), and MOU for Staff (appendix 5)**
- 3. Delegate any subsequent amendments to the Statutory Transfer Scheme and supporting documents to the Group Director, Climate, Homes and Economy**

REASONS FOR DECISION

A Cabinet decision is needed to approve the Statutory Transfer Scheme which sets out details of matters to be transferred such as planning records, live planning applications, enforcement cases and appeals and Section 106 legal agreements and Community Infrastructure Levy Funding.

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

None. A Cabinet decision on the Statutory Transfer Scheme is required to support the transfer of planning powers from the London Legacy Development Corporation to Hackney

13 Review of Underwood Street Conservation Area

- 13.1 Introducing both the Review of Underwood Street Conservation Area report and the Review of Hoxton Street Conservation Area report, at agenda item 14, Cllr Nicholson confirmed that both the Underwood Street and Hoxton Street conservation areas had undergone extensive reassessment, which had included studies and analysis of the relevant townscapes. The result of that work would ensure that new developments would have to conform to a quality of design that was equal and complimentary to the existing sense of place and design present in both locations.

RESOLVED:

- 1. Approve the adoption of the Underwood Street Conservation Area Appraisal and Management Plan (Appendix A)**
- 2. Approve the revised Underwood Street Conservation Area Boundary map (Appendix B)**

REASONS FOR DECISION

This decision is required in order to ensure that the area's heritage is recognised and a full and up to date conservation area appraisal clearly sets out the area's qualities and identifies threats, weaknesses and opportunities for enhancement of the historic built environment.

This decision is required in order to ensure that guidance for development proposals and alterations to existing buildings is in place in the form of a management plan that provides ways to address weaknesses and manage change in the conservation area while preserving and enhancing its special interest and character.

This decision is required in order to ensure that the conservation area boundary accurately reflects the special architectural character and heritage context of the area and ensures that appropriate policy protections are in place.

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Consideration was given to including other sites close to the existing conservation area boundary. However, following a thorough site visit of sites bordering the boundary, no further areas meeting the tests for inclusion were identified.

The option of doing nothing was rejected as the buildings' heritage significance is currently not recognised adequately. Moreover, there has been no appraisal or management plan since its designation. Historic England advice is that each Conservation Area be reviewed at least every five years.

14 Review of Hoxton Street Conservation Area

RESOLVED:

- 1. Approve the adoption of the Hoxton Street Conservation Area Appraisal and Management Plan (Appendix A)**
- 2. Approve the revised Hoxton Street Conservation Area Boundary map (Appendix B)**

REASONS FOR DECISION

This decision is required in order to ensure that the area's heritage is recognised and a full Conservation Area Appraisal is adopted. The Appraisal assesses the area's qualities and identifies threats, weaknesses and opportunities for conservation and enhancement of the historic built environment.

This decision is required in order to ensure that guidance for development proposals and alterations to existing buildings is in place. This is provided in the Management

Plan that sets out guidance to preserve and enhance the special interest and character of the area.

This decision is required in order to ensure that the conservation area boundary accurately reflects the special character and heritage context of the area and ensures that appropriate policy protections are in place.

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Consideration was given to including other sites close to the existing conservation area boundary. However, following a thorough site visit of sites bordering the boundary, no further areas meeting the tests for inclusion were identified.

The option of doing nothing was rejected as the heritage significance of the Hoxton Street Conservation Area is not adequately recognised at present. The lack of an Appraisal or Management Plan for the area was identified as a weakness in the 2017 Conservation Area Review programme, which this proposal seeks to remedy.

15 Schedule of Local Authority School Governor Appointments

15.1 Deputy Mayor Bramble highlighted that in her recent capacity as Acting Executive Mayor, an extension had been granted to the nominee's term of office to allow Cabinet the opportunity to formally consider the nomination at this meeting.

RESOLVED:

Cabinet is recommended to approve the following nominations as set out below:

Governing Body	Name	Date Effective
Ickburgh School	Patrick Corrigan	28 November 2023

16 Exclusion of the Press and Public

RESOLVED: THAT the press and public be excluded from the proceedings of the Cabinet during consideration of Exempt item 17 on the agenda on the grounds that it is likely, in the view of the nature of the business to be transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A to the Local Government Act 1972 as amended.

17 Urgent Exempt Business

17.1 There were no new exempt items for consideration.

Duration of the meeting: 6.00 - 7.05 pm