

London Borough of Hackney
Council
Municipal Year 2015/16
Date of Meeting Wednesday, 25th November, 2015

Minutes of the proceedings of
Council held at Hackney Town
Hall, Mare Street,
London E8 1EA

**Councillors in
Attendance:**

Mayor Jules Pipe, Cllr Kam Adams, Cllr Soraya Adejare,
Cllr Dawood Akhoon, Cllr Brian Bell,
Cllr Anntoinette Bramble, Cllr Will Brett, Cllr Barry Buitekant,
Cllr Laura Bunt, Cllr Jon Burke, Cllr Robert Chapman,
Cllr Mete Coban, Cllr Feryal Demirci, Cllr Michael Desmond,
Cllr Tom Ebbutt, Cllr Sade Etti, Cllr Susan Fajana-Thomas,
Cllr Philip Glanville, Cllr Margaret Gordon,
Cllr Michelle Gregory, Cllr Katie Hanson, Cllr Ben Hayhurst,
Cllr Ned Hercock, Cllr Abraham Jacobson,
Cllr Christopher Kennedy, Cllr Michael Levy,
Cllr Sophie Linden, Cllr Clayeon McKenzie,
Cllr Jonathan McShane, Cllr Rick Muir, Cllr Sally Mulready,
Cllr Ann Munn, Cllr Guy Nicholson, Cllr Harvey Odze,
Cllr M Can Ozsen, Cllr Sharon Patrick, Cllr James Peters,
Cllr Emma Plouviez, Cllr Clare Potter, Cllr Tom Rahilly,
Cllr Ian Rathbone, Cllr Rebecca Rennison, Cllr Anna-
Joy Rickard, Cllr Rosemary Sales, Cllr Caroline Selman,
Cllr Ian Sharer, Cllr Nick Sharman, Cllr Peter Snell,
Cllr Simche Steinberger, Cllr Vincent Stops, Cllr Geoff Taylor,
Cllr Jessica Webb and Cllr Carole Williams

Apologies:

Cllr Sophie Cameron, Cllr Richard Lufkin,
Cllr Deniz Oguzkanli and Cllr Louisa Thomson

Officer Contact:

Emma Perry, Governance Services

Councillor Sade Etti [Speaker] in the Chair

1 Apologies for Absence

- 1.1 Apologies for absence from Members are listed above.
- 1.2 Apologies for lateness were received from Councillors Ebbutt, Gordon, Peters and Webb.

2 Speaker's Announcements

- 2.1 The Speaker thanked everyone for their support towards her nominated charities and events. A total of £12,679.74 was raised from ticket sales and raffles for the Gala Dinner which was held on 30 October 2015.

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- 2.2 The Speaker then referred Members to her newsletter circulated at the meeting, which set out details of other events the Speaker had been involved with and also details of future events.
- 2.3 The Speaker notified the Council was the death of former Councillor Arthur Taylor, Chief Whip at the Council from 1978 to 1982, who sadly died of cancer in late August/early September 2015. Members of the Council stood for a one minute silence in memory of the late Councillor Arthur Taylor and also the victims of the terrorist attacks in Paris on Friday 13 November 2015.
- 2.4 Councillor Odze also mentioned the sad passing of the actor Warren Mitchell who was born in Stoke Newington and a great supporter of youth theatre.
- 2.5 The Speaker paid tribute to Alan Wood CBE, Corporate Director of Children and Young People Services who retires from the Council at the end of the year. The Speaker, on behalf of the whole Council, thanked Alan Wood for all of his excellent transformational work over many years and wished him all the best for the future.
- 2.6 The Mayor stated that he had worked with Alan Wood for many years and had witnessed the transformation of children's services within the Council. Previously around 40% of people in the borough wished to send their children to schools outside of the borough and now as a result of the creation of the Learning Trust and programmes such as Building Schools for the Future, all of the secondary schools within the borough were either rated good or outstanding. The children's social care service within the Council was now viewed as a national benchmark. The Mayor wished to thank Alan Wood for all of his hard work over the years in transforming the service.
- 2.7 Ex Councillor Siddiqui stated that through the Learning Trust, Alan Wood had created a legacy of becoming one of the best providers of religious education and creating of better understanding of religions within schools.
- 2.8 Councillors Bramble, Jacobson and Steinberger also thanked Alan Wood for all of his hard work during his time at the Council and wished him all the best for the future.

3 Declarations of Interest

- 3.1 Deputy Mayor Linden declared a personal interest in Item 5b – London Living Wage, as her husband was Director of Education at the Diocese of Westminster which has responsibility for catholic schools in Hackney.
- 3.2 Councillors Demirci and Taylor declared a non-pecuniary interest in Item 12 – Report from Cabinet: Draft North London Waste Plan, as they were both members of the North London Waste Authority.
- 3.3 Councillors Desmond and Rennison also declared a non-pecuniary interest in Item 12 – Report from Cabinet: Draft North London Waste Plan, as they both lived close to one of the sites identified in the report.

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- 3.4 Councillor Linden declared a non-pecuniary interest in Item 13 – Statement of Licensing Policy 2016, as she had previously been involved with residents in relation to the Dalston Special Policy Area.
- 3.5 Councillor Gregory declared a pecuniary interest in Item 22b – Trade Union Bill, as she worked for the Trade Union Centre.
- 3.6 It was noted that the majority of members had an interest in Item 22b – Trade Union Bill as members of various trade unions. The Corporate Director advised the Council that she had granted a general dispensation to Members of so that they could participate in the debate.

4 Minutes of the previous meeting - 22 July 2015

- 4.1 **RESOLVED** that the minutes of the previous meeting held on 22 July be approved, subject to the following amendments:-
- Paragraph 2.5 be amended to read – ‘Councillor Odze paid tribute to Mr Lobenstein and stated that he was always approachable and had been therefore for all the people of Hackney’.
 - Paragraph 3.3 be deleted as it was incorrect.

5 Deputations

a) Development of land at Colvestone Crescent/Ridley Road adversely affecting Colvestone School

(Councillor Chapman moved under Council Procedure Rule 16.1 (iii) to vary the order of business in the agenda so that item 6.1 could be taken with item 5a as both items dealt with the same issue. This was duly seconded by Councillor Patrick and agreed unanimously by Council).

- 5.1 Councillor Snell introduced the deputation and stated that he had been inundated with correspondence from residents and parents of children at the school regarding this issue. He was dismayed that something had not been done to better protect the children at the school. Councillor Snell welcomed David Gething to the meeting.
- 5.2 Mr Gething advised that he had two children that went to the Colvestone School and had previously attended the nursery. The three storey development which had recently been granted planning permission by Planning Sub-Committee on 2 September 2015 would cast a shadow over the school’s outdoor amenity and obscure views of the Grade II listed building at the entrance of the St Mark’s Conservation Area. This application was now subject to a judicial review. A previous application for a two storey building had been refused in 2005.
- 5.3 Mr Gething explained that on 13 November 2001 the Council sold a small area of land on the southern boundary of Colvestone Primary School subject to a covenant reserving the right to uninterrupted and unheeded access to light over the land sold to the Council’s retained land. The retained land was the school’s nursery playground and outdoor learning area for toddler’s aged from 3 to 5

- years old. Residents were requesting that the Council do the right thing and enforce this covenant.
- 5.4 Mr Gething stated that the school had worked hard to improve the space and asked the Council to imagine the impact the oppressive development would have on this space, given that sunlight was essential to the education, health and sense of wellbeing of the children.
- 5.5 Mayor Pipe responded to the deputation and thanked Mr Gething for his attendance. Mayor Pipe explained that the planning process was a quasi-judicial one in which decisions were made within a strict legal framework. The restriction to title regarding the right to uninterrupted light was not a material planning consideration and therefore was not something that the Planning Sub-Committee would have taken into consideration.
- 5.6 Mayor Pipe confirmed that, as the freeholder for this area of land, it was the Council's intention to impose the restriction to title in order to protect the school's right to light. Therefore officers were in the process of appointing a right to light specialist to advise the Council on this matter. Mayor Pipe praised the Ward Councillors Adejare and Snell for their work on this matter.
- 5.7 Councillor Adejare added that she had also received numerous correspondence on this matter and would continue to inform residents on progress.
- b) London Living Wage**
- 5.8 Councillor Gregory introduced the deputation and welcomed the two speakers, Mr Onay Kasab and Ms Gloria D'Costa. The deputation was made on behalf of staff employed in schools working for contractors.
- 5.9 Mr Kasab requested Council to take action to ensure that all cleaning and catering staff in Hackney Schools received the London minimum wage, as a minimum. He pointed out that contractors were being engaged by the Council who would not pay wages at this level. Further some staff were being paid at minimum wage levels. Mr Kasab requested that the Council write to all schools in the Borough at the time of contract renewal, requesting that contracts were re-costed to include the London minimum wage. Mr Kasab referred to the fact that escorts at the Learning Trust had been on agency contracts for 16 years and wanted to have permanent jobs. In his deputation address Mr Kasab also referred to the fact that schools in the Borough had significant reserves.
- 5.10 Ms D'Costa also expressed strong concern that some staff in Hackney Schools received only the minimum wage and in some cases staff were on zero hour contracts and company sick pay was not available. Ms D'Costa said that these staff should be treated the same as teachers.
- 5.11 Councillor Jacobson welcomed the deputation and thanked the speakers and stated that the Council was supportive of the London minimum wage. He expressed concern at the low levels of take home pay for those on the minimum wage and said that this needed to increase.

- 5.12 Councillor Rathbone expressed concern that some staff were on zero hours contracts and that in some cases sick pay was not available.
- 5.13 Mayor Pipe welcomed the deputation and agreed with all speakers on this subject and confirmed the Council's support for the London minimum wage, emphasising that Hackney Council was one of the two leading Boroughs in London introducing it. Mayor Pipe said that it had not been possible to include this in the home care contract this year but efforts would be made to change it in the coming year.
- 5.14 Mayor Pipe said that framework contracts were drawn up and costed at the London minimum wage. However, the Council could not force schools to use these contracts. Mayor Pipe told Council that he had written to schools, asking about the status of contracts and timescales for moving to the London minimum wage. He stated that he was confident that current negotiations would result in contracts being costed to include this. Mayor Pipe stated that he would do his utmost to ensure that these staff at schools received the London minimum wage.

c) Mental Health Services in Hackney

- 5.16 Councillor Rahilly introduced the deputation and welcomed Emma Sly, political engagement volunteer at City and Hackney Mind, to the meeting.
- 5.17 Ms Sly advised that she was a mental health champion representing GAP Hackney. GAP Hackney aimed to empower people with lived experience of mental illness to make lasting changes and advance the physical and mental health, wellbeing and safety of the residents of the Borough by influencing policy and practice.
- 5.18 Ms Sly stated that there was a lack of support for users of mental health services and a need to look at how those wishing to make a comment, complaint or suggestion could be supported. There was an issue with residents needing support slipping through the system.
- 5.19 Councillor Peters referred to an autistic resident who had worked with the 'get your voice heard' project which had been a great initiative. He stated it was important to identify potential service users and how they should be represented.
- 5.20 Councillor Munn stated that she had visited a service users group and advised that issues surrounding anxiety and depression had been discussed in a later report in the agenda.
- 5.21 In response to a question from Councillor Rathbone, Ms Sly responded by explaining that the project establishes three integrative levels of representation. Discussion Forums would collate the views of local people, which will inform a Working Group of professionals and 5 appointed Advocates (with lived experience), to consider related policies.
- 5.22 Councillor McShane responded to the deputation and thanked Ms Sly for her attendance and for all the work the GAP Hackney had done to promote political participation by mental health users. Councillor McShane stated that service

user involvement was a legal duty for some public bodies, but in Hackney it was seen as a way to make sure it had the best services possible, rather than as a legal obligation.

- 5.23 Councillor McShane took on board the recommendations to the Council and advised that the Council was already discussing the possibility of scheduling quarterly meetings with the GAP Hackney and was happy to take this forward.

6 Questions from Members of the Public

6.1 From Mami McKeran to the Mayor:

“Hackney Council recently approved development of a 3 storey structure with a 31ft x 30ft brick wall bordering Colvestone Primary School’s nursery playground despite a 2001 covenant placed on the site by the Council protecting the school’s *right to uninterrupted access to light*. Will the Council resolve to enforce its own covenant?”

(The question was dealt with as part of item 5a – Deputation – Development at land at Colvestone Crescent/Ridley Road adversely affecting Colvestone School, as it dealt with the same matter. Ms McKeran was not in attendance at the meeting to ask her question).

6.2 From David Clarke to the Chair of the Pensions Committee:

(The Speaker advised Council that agenda item 6.2 and 7.11 would be taken together as both items dealt with the same issue).

Public question from David Clarke

“Earlier this year, the Pensions Committee announced a formal review into the possibility of divesting from fossil fuel companies. As the future of local authorities’ fossil fuel investments come under increasing scrutiny, what happens in Hackney will be watched closely by elected officials, investors and campaigners up and down the country. I’d like to ask the Chair of the Pensions Committee to give an outline of how the review will be carried out and how the committee will arrive at its decision.”

Member question from Councillor Rathbone

“To ask the Chair of the Pensions Committee what the progress is on to looking at how the Council can divest its pension fund of investments in fossil fuels?”

Response from Councillor Chapman

Councillor Chapman stated that the Pensions Committee took its role in this matter seriously and that corrective actions were being taken in relation to this environmental issue, in recognition of the impact of fossil fuel on climate change. He stated that involvement in fossil fuel was very complex, including that the Council had a responsibility to ensure that the cost of pensions to tax payers was contained. Work was ongoing with investment advisors whose opinions were being sought with a view to putting forward a range of options. Given the importance of this matter the Pensions Committee had agreed to hold an extra meeting towards the end of January 2016 to have in-depth discussion.

Mr Clarke asked whether Divest Hackney would be specifically invited to give evidence at Pensions Committee.

Councillor Rathbone asked if consideration had been given to who would give evidence on this matter and stated that Divest Hackney would give its support. Councillor Chapman advised that specific arrangements to obtain evidence from those who want to engage in the process had yet to be finalised. Councillor Chapman confirmed that a wide range of views would be sought.

6.3 From Christopher Sills to the Mayor:

“Would you agree with me that the current refugee crisis in Europe is likely to result in a significant number of refugees arriving in Hackney over the winter and what contingency plans are being made to reduce any resulting problems for the refugees themselves and existing residents.”

Response from the Deputy Mayor:

Deputy Mayor Linden advised that the Borough had a proud history of welcoming refugees and would continue to do so. The Council was not expecting there to be a significant number of refugees arriving in Hackney until the Spring at the earliest. Deputy Mayor Linden stated that it was important to understand that the provision of support for refugees and those seeking asylum was not a short term commitment, therefore a long term strategic approach that recognised this and was able to secure the financial investment required was necessary.

Deputy Mayor Linden advised that Mayor Pipe had met with the Mayor of London to discuss this issue and how the Council can play its full part in assisting these families, without unduly hampering or interrupting the services provided to the wider community. Hackney was also already working with Citizen UK and the Hackney Migrant Centre, and had set up a dedicated webpage and telephone hotline to provide the community with additional information on how they could support refugee families.

In response to a supplementary question, Deputy Mayor Linden guaranteed that the Council were looking into this issue and would work with all the relevant authorities to ensure that the needs of these refugees were met.

7 Questions from Members of the Council

7.1 From Councillor Odze to the Mayor:

“Why has the totalitarian regime of this Mayor yet again ignored the clearly expressed wishes of several thousand Stamford Hill residents and businesses and is cooperating with TfL in routing Cycle Superhighway 1 on a route that undermines the safety of schoolchildren and is guaranteed to cause further traffic chaos?”

Response from Councillor Demirci:

Councillor Demirci advised that a petition of around 3,300 signatures had been submitted during the consultation period, objecting to having CS1 go through their area on the grounds that it would increase danger to pedestrians, increase congestion and reduce parking. These comments were considered as part of the consultation results and the scheme was adjusted to reflect these concerns. Both TfL and Hackney considered the consultation feedback and they each

agreed to proceed with the scheme with amendments, where appropriate. Councillor Demirci added that there would be no loss of parking as a result of any of these measures.

In response to a supplementary question, Councillor Demirci responded stating that the only threat to pedestrian's safety was cars and the volume of traffic in the borough.

Councillor Burke added that the motivation of the scheme was to safeguard children and reduce the number of accidents on the road.

7.2 From Councillor Patrick to the Cabinet Member for Housing:

"Can the Cabinet Member for Housing tell me what impact he thinks the Housing and Planning Bill will have on the supply of Council and Social rented homes in Hackney?"

Response from Councillor Glanville

Councillor Glanville stated that the Government was trying to reduce social housing. He said that the Housing and Planning Bill would have a devastating impact on affordable, social housing in the Borough. It was considered that 700 homes would be lost in Hackney over the first five years with 2100 families in housing need. He advised that there was no objection to Right to Buy if properties in social ownership were replaced. He expressed concern at the proposal to charge market rents to tenants with an income of £40,000, a salary that could be reached by two adults. He said that a social rent of £432 equated to £1700 market rent and that 33 % of gross income is affordable rent.

Councillor Glanville referred to the fact that Housing Associations would have to cut social housing rents by 1% for the next four years, resulting in fewer affordable homes being built. He confirmed that the Council was committed to social housing, investing in housing that meets the Boroughs' needs.

In response to a supplementary question, Councillor Glanville stated that he was aware that evidence had been given to Parliament on the matter and emphasised the need to widely publicise the Bill, the consequent cost to the public purse of the provision of temporary accommodation and the decrease in available social housing.

Councillor Glanville stated that it would be necessary to continue to make the argument that the Bill will not increase home ownership and will not help social tenants into ownership. He stressed that there was a need to get the message across that the Council did aspire to people owning their own homes, including those in temporary accommodation.

7.3 From Councillor Sharer to the Deputy Mayor:

"What is Hackney Council doing in ensuring the safety of residents if the proposed cuts in the Police service go ahead?"

Response from the Deputy Mayor:

Deputy Mayor Linden stated that whilst the results of the Government's Comprehensive Spending Review had just been announced, the exact implications for policing in London and Hackney was awaited. Hackney had already seen significant reductions in the number of police officers and PCSO's

in the Borough, reducing from 770 police officers in October 2010 to around 600 ever since. Hackney previously had 100 PCSO's, which had now been reduced to just 37.

Mayor Pipe had made personal representations to the Commissioner and the London Deputy Mayor for Policing reflecting the concerns regarding the level of officers in Hackney. The Council had also launched a petition for an additional 100 officers for Hackney.

In response to a supplementary question, the Deputy Mayor stated that in an event of further cuts to police officers in Hackney as a result of spending review, the Council would continue to fight for additional officers, which were unfairly reduced following the Local Policing Model applied to a new way of allocating borough based posts in 2012.

7.4 From Councillor Peters to the Cabinet Member for Health, Social Care and Culture:

"To ask the Cabinet Member for Health what the Council is doing to help people with autism, both children and adults, to lead full lives as members of our community in Hackney?"

Response from Councillor McShane

Councillor McShane stated that an Autism Implementation Plan had been drafted and had been discussed at the Integrated Care Board. Parents and people with autism had been consulted on the plan and he thanked them for their input. He said that the aim of the plan was to develop local leadership. He emphasised the need to listen to families and carers on what is important for them, bearing in mind the financial context. He said he would be delighted to work with Councillor Peters on this.

7.5 From Councillor Jacobson to the Cabinet Member for Housing:

"What is the Council doing in restricting the Right to Buy?"

Response from Councillor Glanville:

Councillor Glanville stated that the Council had very little power to restrict the Right to Buy for Council tenants and stated that the Council was not seeking to restrict tenants who were seeking to exercise their Right to Buy. Hackney Council tenants had a statutory right to buy the Council home they reside in, if they satisfy the eligibility criteria.

The issue that the Council faced was that these homes were not replaced back into the Council's stock. Councillor Glanville stated that there should be a restriction on right to buy until there was a suitable mechanism in place to replace housing back into the Council's stock. If Housing Associations wished to sell homes to their sitting tenants, he would not object if two conditions are met, firstly this was not at the expense to the Council having to sell empty homes, which would be used to house families in housing need, and secondly the homes sold were replaced by the same bed size, location and at the same rent level.

In response to a supplementary question, Councillor Glanville explained that the housing scheme referred to at Cheshire East Council was not able to restrict the Right to Buy and would be reviewed. He added that Hackney

Council had lost 10,000 social rented homes in the Borough as a result of Right to Buy.

7.6 From Councillor Rickard to the Deputy Mayor:

“Today (25 November) is International Day for the Elimination of Violence against Women, could the Deputy Mayor update members on the work the Council does to tackle violence against women living in Hackney.”

Response from the Deputy Mayor

Deputy Mayor Linden informed Council of the incidence of genital mutilation. She stated that many instances of violence against women occurred before the age of 18 and in cases where education attainment is low. She said that there were in the region of 800 victims of domestic abuse in the Borough of Hackney each year. Council invested in this area and had completed a review to ensure that the service was fit for purpose to protect those at risk. She advised that the City and Hackney Safeguarding Adults Board Annual report had been submitted to Cabinet and would be considered by the Health and Wellbeing Board in January of next year. The aim was to have a strategy in place that draws all strands together and working with the perpetrators of violence against women. She said that this was the only way to reduce violence against women. In response to a supplementary question from Councillor Bunt about changes in patterns of violence, the Deputy Mayor replied that there had been an increase in reporting of incidents of violence against women. She added that the Council worked to ensure that the Police brought the perpetrators to Court.

Councillor Odze stated that it was not only women who were the subject of violence. Deputy Mayor Linden agreed with this but stated that the vast majority of victims of violence were women.

8 Elected Mayor's Statement (Standing Item)

- 8.1 Mayor Pipe referred to the Government's Spending Review announced earlier that day, which focused on a reduction in tax credits and welfare support. Mayor Pipe believed that the scrapping of the proposed reductions in tax credits were not as they were being portrayed as they would ultimately still be imposed through the future introduction of universal credit. The cuts in welfare support were affecting the most vulnerable residents within the Borough, especially with respect to housing, who were turning to the Council for support. Mayor Pipe believed that the Government were completely out of touch with the reality of the spending cuts, as evidenced by the exchange of letters between the Prime Minister and the Leader of Oxfordshire County Council .
- 8.2 Mayor Pipe advised that the Government was considering changing the distribution of cuts that would see a slightly smaller lower reduction than being anticipated in boroughs such as Hackney, however it was expected that there would be a further 40% reduction in funding by 2020. Mayor Pipe raised the growing issue of affordable housing provision and how this was becoming unaffordable for many people that needed it. The Council currently had 2,320 families on the housing needs register, with more than 500 of these having to be housed outside of the Borough.
- 8.3 Mayor Pipe stated that the Government was proposing that local authorities charged residents an “adult social care precept” to meet funding pressures.

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However, if every authority in London levied such a precept it would raise only £55m towards an estimated gap of £900m in the capital. He added that Gary Porter, the Conservative chair of the LGA, had admitted that: "Even if councils stopped filling potholes, maintaining parks, closed all children's centres, libraries, museums, leisure centres and turned off every street light, they will not have saved enough money to plug the financial black hole they face by 2020."

- 8.4 Responding to the Mayor's statement, Councillor Levy as Leader of the Conservative Group, stated that the country could not continue to spend money that it did not have and therefore Government cuts were required to reduce the deficit. Councillor Levy stated that there was a need for accountability and a balanced budget. Councillor Levy believed that external pressure in the investment in fossil fuels would affect sustainability.
- 8.5 Responding to the Mayor's statement, Councillor Sharer as Leader of the Liberal Democrat Group, referred to the previous recommendations of a consultant employed by the Council to reduce the number of Council meetings to five a year. Councillor Sharer believed that the reduction in the number of meeting had resulted in a heavy agenda, where there was only five minutes given to discuss each of the reports. Councillor Sharer suggested that Mayor Pipe rethink this decision and contended that it was reducing the opportunity for the opposition to hold the Hackney administration to account.
- 8.6 Councillor Sharer was pleased to see that the Government had made a U-turn on the decision to reduce tax credits, although he believed that the real cuts to families would come next year. Councillor Sharer agreed that many of the affordable housing developments were unaffordable and that the money was going back to private companies.
- 8.7 Mayor Pipe thanked Councillors Levy and Sharer for their contributions. Mayor Pipe agreed with the comments made by Councillor Sharer regarding affordable housing. With regard to the number of Council meetings, Mayor Pipe stated that this was an unusually long agenda. However, he made clear that the number of meetings was absolutely not his decision, but one that belonged to all 58 members of the authority. If the majority of Members wished to increase the number of Council meetings they should revisit the decision. He added that the agreement of public questions at Cabinet meetings, the Council had actually increased opportunities for public accountability.
- 8.8 Mayor Pipe stated that the introduction of 3% stamp duty on buy to let properties and second homes whilst excluding corporate developers from the same charge was letting big business escape their share of the tax burden, and he questioned the political choices of the Government.

9 Report from Cabinet: City and Hackney Safeguarding Adults Board Annual Report 2014-15

- 9.1 Councillor McShane introduced the report and commended it to Council.

RESOLVED that the Council note and endorse the 2014/2015 Annual Report of the City and Hackney Safeguarding Adults Board (CHSAB).

10 Report from Cabinet: Hackney Transport Strategy 2015 to 2025

- 10.1 Councillor Demirci introduced the report and commended it to Council. Hackney's Transport Strategy 2015-2015 sets out a coherent set of sustainable transport policies, proposals and actions that aim to further improve walking, cycling and public transport conditions and options for all residents of the Borough. The Strategy had been subject to an extensive consultation process within the Borough.
- 10.2 Councillor Odze believed that the strategy was not inclusive for the whole of the Borough and was against the use of cars, he therefore opposed the adoption of the strategy.
- 10.3 Councillor Sales supported the strategy and stated that every effort had been made to consult all communities within the Borough. Councillor Sales stated that many of the streets within Stamford Hill were dangerous for pedestrians and schools due to the level of car use, which the strategy aimed to address.
- 10.4 Councillor Stops was also in support of the strategy and stated that bus lanes should remain as Hackney was one of the most bus reliant boroughs within the UK.
- 10.5 Councillor Steinberger referred to the No. 73 bus service which was removed last year, he believed that this important bus service should be reinstated.

RESOLVED that the Hackney Transport Strategy 2015-2025 be adopted, as set out in Appendix 1 to the report.

For: Many
Against: 2
Abstentions: None

11 Report from Cabinet: Planning Contributions (SPD) 2015

- 11.1 Councillor Nicholson introduced the report and commended it to Council.

RESOLVED that:

1. The revisions to the document be noted and the adoption of the Planning Contributions SPD November 2015 as set out in Appendix 1 of the report, be approved.
2. The Corporate Director of Legal, HR and Regulatory Services be authorised to make any necessary general editorial amendments to the Planning Contributions SPD November 2015 before it was published.

For: Many
Against: 6
Abstain: None

12 Report from Cabinet: Draft North London Waste Plan

(Councillors Demirci and Taylor both left the meeting for this item as they had declared an interest).

- 12.1 Councillor Nicholson introduced the report and commended it to Council. Councillor Nicholson explained that consultation on the Draft North London Waste Plan was carried out from 30 July to 30 September 2015 with a total of 220 Hackney specific responses received. The proposed submission version was scheduled for consultation in the summer of 2016.
- 12.2 Councillor Nicholson thanked Councillors that had represented residents in their ward and engaged in the consultation. This feedback had been reported back as a formal response to the NLWP and incorporated into the plan.
- 12.3 Councillor Rathbone referred to the site at Theydon Road which had generated a petition of over 1,000 signatures from local residents, with one of the main issues being the encroachment of the Priority Employment Area and the suitability of this area for waste use. He stated that residents had felt that the consultation had been unsatisfactory and that the Council should take responsibility for this issue.
- 12.4 Councillor Jacobson stated his objection to the site at Theydon Road, which he believed was unsuitable for a waste facility and would be unsafe for surrounding residents.
- 12.5 Councillors Odze and Steinberger also agreed to the comments made by Councillor Rathbone regarding the site at Theydon Road. Councillor Odze stated that it was an impossible site to access and should be withdrawn.
- 12.6 Councillor Nicholson responded suggesting that some Members had misinterpreted the NLWP. Councillor Nicholson advised that the consultation work undertaken with residents regarding the site at Theydon Road had resulted in a recommendation for a change in the boundary of the priority employment area, which will be considered by the planning authority.

RESOLVED that:

1. The issues raised during Regulation 18 consultation be noted and that Council agree to take these into account in preparing the Proposed Submission version of the North London Waste Plan.
2. The issues raised during Regulation 18 consultation regarding the Theydon Road area designation in the draft Plan (ref A414-HC) and that Council agree to amend the area boundary in light of the comments and new evidence received.

For: Many

Against: Cllrs Akhoon, Jacobson, Levy, Odze, Sharer and Steinberger.

Abstentions: None

13 Statement of Licensing Policy 2016

(Deputy Mayor Linden left the meeting for this item as she had declared an interest).

13.1 Councillor Plouviez introduced the report and commended it to Council.

RESOLVED to approve the Statement of Licensing Policy 2016.

14 Gambling Policy (Statement of Principles) 2016 to 2019

14.1 Councillor Linden introduced the report and commended it to Council.

RESOLVED that:-

1. The Gambling Policy (Statement of Principles 2016 to 2019) be adopted.
2. The Corporate Director of legal, HR & Regulatory Services be authorised to make any non-substantive changes to the proposed Policy, as appropriate.

15 Resolution Not to Issue Casino Licences under the Gambling Act 2005

15.1 Gifty Edila, Corporate Director Legal, HR & Regulatory Services, introduced the report and commended it to Council.

RESOLVED not to issue casino licences under the Gambling Act 2005 for a further period not exceeding three years effective from 31 January 2016.

16 Report of the Corporate Director Legal, HR and Regulatory Services: Changes to the Council's Constitution - Officer Employment Procedure Rules

16.1 Gifty Edila, Corporate Director Legal, HR & Regulatory Services, introduced the report and commended it to Council.

RESOLVED that the revision to the Officer Employment Procedure Rules be approved.

17 Report of the Mayor: Use of Special Urgency Provisions

RESOLVED to note the recent use of the special urgency provisions as set out in paragraph 4 of the report.

18 Standards Committee Annual Report 2014-15

18.1 Deputy Mayor Linden introduced the report and commended it to Council.

18.2 Councillor Odze was opposed to the report, as he believed that standards within the Council should be maintained by natural justice and that the Standards Committee was not required.

18.3 Deputy Mayor Linden responded with her disappointment to comments made by Councillor Odze. Deputy Mayor Linden advised that members of the

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Conservative Group had been offered a place on the Standards Committee and could not understand why they wished not to take it. She stated that Members should recognise the good and important work carried out by the Standards Committee.

- 18.4 Councillor Steinberger also spoke in opposition to the report and stated that he did not wish to be part of the Standards Committee.

RESOLVED that the Standards Committee's Annual Report for 2014/15, as attached at Appendix 1 to the report, be noted.

For: Many
Against: Cllrs Levy, Odze and Steinberger
Abstentions: None

19 Pensions Committee Annual Report 2014-15

- 19.1 Councillor Chapman introduced the report and commended it to Council. He told Council that it had been another successful year for the Pensions Fund.

RESOLVED that the Annual Report 2014-15 of the Pensions Committee be noted.

20 Report of the Health in Hackney Scrutiny Commission and Executive Response: Preventing Anxiety and Depression in Working Age Adults

- 20.1 Councillor Munn introduced the report and commended it to Council. The recommendations encompassed support for front line housing officers, improving 'move-on accommodation', hospital discharge processes and BME access to services, the operation of the new IMHN, the need for job retention programmes and how Hackney Council and the NHS, as employers, could provide leadership on best practice in supporting employees to avoid anxiety and depression and with a managed return to work.
- 20.2 Councillor Munn took the opportunity to thank all of those who had generously given their time to give evidence to the commission or host a site visit.
- 20.3 Councillor McShane responded to the report which he believed gave a bigger picture surrounding the issue of preventing depression and anxiety in working age adults and thanked all of those that had taken part in the commission.

RESOLVED that the Commission's report and response to it from the Executive be noted.

(Councillor Chapman moved under Council Procedure Rule 16.1 (iii) to change the order of business in the agenda to take item 23 next. This was duly seconded by Councillor Odze and agreed unanimously by Council).

21 Report of the Living in Hackney Scrutiny Commission and Executive Response: New Residential Development and Affordable Housing Gain Review

(During the debate Councillor Chapman moved under Council Procedure Rule 16.1(xiv) to extend the meeting beyond 10pm. This was duly seconded by Councillor Glanville and agreed unanimously by Council).

21.1 Councillor McKenzie introduced the report and commended it to Council. He expressed his thanks to the commission, stakeholders and officers for their work in its preparation. He referred Council to the three areas of focus of the Commission, as follows:

- Performance on affordable housing gains
- The challenges facing Housing Associations
- Exploring the views of residents

21.2 Councillor McKenzie stated that the Commission acknowledged the policy shift in housing towards right to buy and the impact that this would have on new affordable housing in the Borough, if the Housing Bill was passed by Parliament as it stands. He stressed that this would represent significant challenges to all providers of affordable housing. He referred to the proposals to extend Right to Buy to Housing Associations. He stated that the aim within the Council was to ensure that 50% of new housing delivered was affordable. He said that viability appeared to be one of the reasons why the Council was not being able to achieve this affordable housing level from private developments.

21.3 Councillor Nicholson reassured Council that planning related recommendations had been adopted and that work was ongoing on these recommendations and findings. A further report would be made to the Commission next year.

21.4 Councillor Glanville welcomed the report. He referred Council to the results of the survey at pages 296/7 of the report. He stated that the Council would continue to work with the GLA to ensure that funding was directed to areas of greatest housing need. It would continue to increase the Housing Revenue Account and borrowing and have flexibility in how funds were used.

RESOLVED that the Commission's report and the response to it from the Executive be noted.

22 Motions

a) Charges for access to cash

Councillor Jacobson proposed an amended version of his own motion to Council following discussions with Deputy Mayor Linden. This was formally seconded by Councillor Sharer.

Councillor Jacobson stated that poorer areas of the Borough were getting penalised by ATMs which were charging residents to withdraw their money. This issue had been made worse by the increasing reliance on ATMs for accessing cash over recent decades as bank branches had closed.

Deputy Mayor Linden stated that the Council was aware of the financial pressures faced by people in the community and that the lack of fee free cash

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machines was likely to exacerbate this problem. Deputy Mayor Linden advised that the Council had a financial inclusion action plan to coordinate and oversee a range of initiatives aimed at promoting financial inclusion.

The Council's last audit of free and fee charging ATMs in the Borough highlighted the large number of surcharging ATMs, particularly where there were areas of deprivation. This would be addressed as part of the financial inclusion action plan. Deputy Mayor Linden added that information on ATM provision within Hackney was widely available on the Council's website and also on LINKs website, and that there was only one area in Hackney where there was not access to free ATMs.

RESOLVED:

Council notes:

- 1) the increasing reliance on Automated Teller Machines (ATMs) for accessing cash over recent decades as bank branches have closed.
- 2) the large proportion of ATMs charging a fee to withdraw cash.
- 3) that these fees are most onerous on the poor, who typically withdraw smaller amounts of money in each transaction.
- 4) that fee-charging ATMs appear to be particularly common in areas which are already deprived.
- 5) that, taken together, these charges extract a significant percentage of the money held both by individuals and circulating in the local economy as a whole.
6. The Council has a financial inclusion action plan that supports residents.
7. The work of LINK and Toynbee Hall assessing access to free ATMs within 1km walking distance in deprived areas.
8. The map of free ATMs available on the council's website – on the find your nearest page.
9. That one of the 20 areas in London identified by LINK and Toynbee Hall as an area without adequate access to a free cash point is in Hackney.

Council believes:

- 1) that the lack of free access to cash withdrawals is a significant problem within the borough, especially for the low-paid and socially excluded.
- 2) that the ability for people to access their own money without being charged a premium would be of real benefit to the people of Hackney and to the local economy.
- 3) that it should be an agreed policy of this Council to extend the availability of fee-free access to cash.

Council resolves:

1. To refer the issue of free ATMs and ATMs which dispense £5 notes to be reviewed by the Community Safety and Social Inclusion scrutiny commission.
2. Work with CSSI to put a case forward if appropriate for free ATMs to LINK.
3. To liaise with the banks and other providers with a goal in promoting and ensuring that all Hackney residents are within easy walking distance to a non fee ATM.

Proposed by Cllr Jacobson

Proposed by Cllr Sharer

For: Many

Against: None

Abstentions: 3

b) **Trade Union Bill**

Councillor Gregory introduced a motion that Council support the campaign against 'the unnecessary, anti-democratic and bureaucratic Trade Union Bill and to seek to continue the Council's own locally agreed industrial relations strategy and to continue to take every legal and reasonable measure to maintain its autonomy with regard to facility time and the continuing use of check-off.

Councillor Gregory stated that the Trade Union Bill was an attack on service, on top of which the Government wanting to disempower hard working people. Councillor Gregory told Council that 6 ½ million people had joined Unions and that they played a vital role. She referred to the Bill as a major attack on civil liberties, undermining the rights of all working people. She believed that the Bill was unfair and undemocratic.

Councillor Odze was in opposition to the motion.

Proposed by Cllr Gregory

Seconded by Cllr Gordon

For: Many

Against: Cllrs Levy, Odze and Steinberger

Abstentions: None

c) **Promoting Positive Mental Health Across Hackney**

Councillor Rahilly introduced the motion and stated that the Council faced a number of challenges regarding mental health within the Borough. He reported that 1 in 4 people would experience a mental health problem in any given year. There was an opportunity to increase the role of prevention and to look at what could be done differently to help encourage and promote access to support services.

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Councillor McShane formally seconded the motion and welcomed the opportunity for Hackney to sign-up to the local authority mental health challenge.

This Council notes:

- It is estimated that at any one time, 16.3 per cent of the adult population of Hackney experience a severe or common mental illness and 9.6 per cent of children and young people will experience any type of disorder.
- Hackney has higher rates of severe and common mental illnesses than the averages for London and England.
- People with a severe mental illness die up to 20 years younger than their peers in the UK.
- There is often a circular relationship between mental health and issues such as housing, employment, family problems, poverty or debt.

This Council believes:

- As a local authority we have a crucial role to play in improving the mental health of everyone in our community and in tackling some of the most entrenched inequalities in health, with particular responsibilities around public health and preventative action.
- Mental health should be a priority across all the Council's areas of responsibility, including children's services, health, housing, community safety and planning.
- All Councillors can play a positive role in championing action to improve mental health on an individual and strategic basis.

This Council resolves:

- To demonstrate our commitment to promoting positive mental health across Hackney by signing up to the "Local Authorities' Mental Health Challenge" run by Centre for Mental Health, Mental Health Foundation, Mental Health Providers Forum, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.
- In particular, we commit to:
 1. Appoint an elected member to act as a 'mental health champion' across the Council
 2. Identify a 'lead officer' to lead action on improving support for mental health across the local authority
 3. Develop a mental health action plan setting out the steps the council will take to promote positive mental health and reduce mental health inequalities across Hackney,
 4. Work with local partners to support action to promote good mental health and integrate support for people with mental health needs
 5. Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health
 6. Report to members of the Council on progress in delivering our mental health action plan, and progress in improving mental health across Hackney on an annual basis.
 7. Sign up to the Time to Change pledge

Proposed by Cllr Rahilly
Seconded Cllr McShane

23 Appointments to Committees/Commissions (Standing Item)

23.1 **RESOLVED** that:

1. The appointment of Cllr Gordon to replace Cllr Rathbone on Children and Young People Scrutiny Commission be agreed.
2. The appointment of Jo MacLoud as the Hackney Schools Governor Association co-opted member on Children and Young People Scrutiny Commission to replace Lisa Neidich be agreed.
3. The appointment of Sophie Conway as a Parent Governor co-opted member on Children and Young People Scrutiny Commission to take up a vacant place on the Commission be agreed.
4. The appointment of Cllr Brett to replace Cllr Demirci on Licensing Committee be agreed.

Duration of meeting: 7.00 – 10.20pm

Appendix One

7.7 From Councillor Adams to the Cabinet Member for Regeneration:

“To ask the Cabinet Member for Regeneration how many square metres of floor space have been lost in Hackney since the introduction of the new policy of allowing developers to convert offices to residential without permission?”

Response from Councillor Nicholson:

The Council has granted 38 prior approval applications for a change of use from Office (B1(a)) to Residential (C3) use since May 2013, when the Government's permitted development change took effect. As of 1st September 2015, the total combined employment floorspace that was approved for conversion to C3 use is approximately 6,200 square metres. This quantum of B1 floorspace equates to approximately 326 jobs, based on the employment densities (worker: floorspace ratio of 1:19m²) from the Atkins Employment Growth Options Study 2010 (Core Strategy employment evidence base document). The total number of residential (C3) units that have been approved by the loss of employment space is 156, none of which are affordable as planning permission was not required and therefore the local authority had no discretion to consider or apply any of policies within its planning policy framework. Instead applicants are only required to make a 'prior approval' application. A local planning authority is permitted only to consider transport and highways impacts, contamination risks and flooding risks as part of this process.

The Council has been successful in ensuring that some areas of Hackney within the Central Activities Zone, and a number of Priority Employment Areas and town centres in the south of the borough (covering the town centres of Hackney Central and Dalston, along with Shoreditch and the City Fringe), are exempt from the office to residential permitted development rights. Under Government legislation, these areas are exempt until May 2019, when in order to continue protecting them the Council would have to bring into effect an Article 4 Direction to withdraw the permitted development rights.

The Council has already approved an Article 4 Direction for all of the other Priority Employment Areas throughout the borough that do not fall within the area already exempt from the permitted development rights. Following a 12 month notice period, if not intervened by the Secretary of State, the Council will be seeking to bring this into effect in July 2016. This would allow for any proposal for a change from office to residential use in these areas to require a planning application, and for the Council to assess them on a case by case basis against all relevant planning policies.

The LLDC made an application to DCLG to exempt parts of Hackney Wick from office to residential however this was not successful.

7.8 From Councillor Potter to the Cabinet Member for Finance:

“To ask the Cabinet Member for Finance what progress has been made in ensuring that Council employees and contractors are paid the London Living Wage, in accordance with the Labour's manifesto commitment?”

Response from Councillor Taylor:

All contracts for Council services pay staff the London Living Wage (LLW), with the exception of some Homecare contracts. LLW compliant contracts range from those where LLW was confirmed at the point of contract award, and is reconfirmed on each renewal where the Council has secured LLW without extra cost for the service above the market rate, to those where the Council pays a supplement on the market rate in order to achieve LLW. The latter includes Sure Start Catering, Building Cleaning, Security, and now Homecare and Parking.

LLW may not be achievable in contracts where services are shared, or where the Council has no say in a service user's choice, such as residential care for older people. However, many residential based services – those let under the Supporting People framework – do pay LLW as they are exclusively commissioned by the Council.

The Council does not generally monitor the number of people employed by contractors delivering Council services, but where we pay a specific supplement above what would otherwise be market rate to secure payment of LLW, officers do know staff numbers involved. This covers over 700 staff, with an additional 97 staff paid LLW through schools' use of our Schools Cleaning Framework contract.

7.9 From Councillor Muir to the Cabinet Member for Housing:

“To ask the Cabinet Member for Housing to provide members with an update on the Council's Estate Regeneration programme?”

Response from Councillor Glanville:

Since March 2014, the Estate Regeneration Programme has moved from a period of consultation and design, into the delivery phase. Progress can be measured by the number of projects on site and under construction including:

- Kings Crescent Phase 1, which will deliver 273 new homes (79 social rent, 36 shared ownership and 158 private sale), as well as refurbishing 101 homes on the estate (75 social rent and 26 leasehold properties);
- Great Eastern Building, which will deliver 18 new homes (14 shared ownership and 18 private sale); and
- King Edwards Road, which will deliver 32 new homes (15 social rent and 17 private sale).

There are a number of sites coming forward for construction in the next 12 months, which will move the Council closer to its target of delivering 2,760 homes, over half of which will be affordable. The Council is also developing a new Housing Supply programme, which will provide at least 125 additional new units at social rent, around 100 for shared ownership, and about 200 for private sale to help pay for them. In addition to delivering much needed new homes, these programmes are delivering wider community benefits for Hackney residents. For example, the three contractors who are on site have committed to 25% local labour targets, as well as to delivering a considerable number of apprenticeships.

With regard to estate regeneration in your own ward, for more than two years, the Council's estate regeneration team has been liaising with the Nightingale

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regeneration Steering Group, on a proposal to finally build 400 new Council homes for social renting, shared ownership, and private sale (to help pay for them in the absence of government funding), on the long-vacant land left over from the last Southern Housing Group redevelopment that began in the 1990s. It has been a process of discussion, negotiation and compromise, which through agreement with residents has led to the inclusion of additional new Council homes for social renting on the site in excess of what the original plans for the site intended all those years ago.

A new masterplan is close to completion following extensive public consultation events that have taken place throughout this year, which centres on new buildings of five storeys, extensive landscaping, and improvements to open spaces on the estate, with a planning application to be submitted early in the New Year.

There has also been significant progress in terms of the programme's maturity to support quality delivery. This has included:

- Protecting design quality with the introduction of a Hackney New Build Design Specification;
- Improving our consultation and communication with residents;
- Deconstructing organisational and directorate boundaries to promote ways of working that support 'end to end' delivery;
- An improved reputation for design quality that has resulted in recognition for our exemplary approach to housing development;
- Positive responses to tendering opportunities in the marketplace, reflecting market confidence in our approach and professionalism as development partners; and
- Our ambitious apprenticeship schemes for local young people that will have positive benefits for our communities.

7.10 From Councillor Rennison to the Cabinet Member for Finance:

"To ask the Cabinet Member for Finance for an update on the roll-out of Universal Credit in Hackney?"

Response from Councillor Taylor:

Universal Credit (UC) combines six existing benefits, including Housing Benefit, into one combined payment to cover both living and housing costs. It is administered by the Department for Work and Pensions, and is paid directly to the applicant on a monthly basis (in arrears).

UC is currently being rolled out across the UK through two separate streams. Nationally, UC is being rolled out to new single claimants previously eligible for Jobseekers Allowance, including those with existing Housing Benefit and Tax Credit claims. This began in February 2015 and is due to be completed in April 2016. Alongside this, an online digital service that incorporates a much wider cohort of applicants is currently being rolled out on a smaller scale, initially in the London Borough of Sutton and recently expanded to parts of the London Borough of Croydon.

Hackney is due to go live for single jobseekers only on 28th March 2016, and will be the last of the London Boroughs to rollout. There is, as yet, no timetable for the expansion of the digital service into Hackney. Preliminary discussions on

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a communications strategy have been held with the local Jobcentre Plus (JCP), and the intention is to begin a targeted publicity programme from early January.

Officers are currently working up a range of UC success criteria to inform discussions with the local JCP around local delivery. Operationally, those boroughs that have already gone live have reported that a number of concerns have come to light, particularly with regard to the exchange of data, including that required to access local Council Tax Support. Consequently the Council will be pushing the local JCP to provide back-up processes and allow local workarounds to be put in place where possible.

It should be noted that the current Housing Benefit administration grant is expected to be reduced as a consequence of the UC rollout. Although the level of cut is not known, the Council have stressed that UC has a marginal impact on Council costs due to the continuing duty to deal with pensioner applications, plus Council Tax Support. Any cut could jeopardise the Council's ability to provide an adequate services.