

MINUTES OF A MEETING OF THE CORPORATE COMMITTEE

TUESDAY, 12TH DECEMBER, 2017

- Councillors Present:** Councillor Jessica Webb in the Chair
Cllr Barry Buitekant, Cllr Susan Fajana-Thomas (Vice-Chair), Cllr Katie Hanson, Cllr Christopher Kennedy, Cllr Nick Sharman, Cllr Ian Sharer, Cllr Sally Mulready and Cllr M Can Ozsen
- Apologies:** Councillor Michael Levy, Councillor Vincent Stops, Councillor Will Brett, Councillor Laura Bunt, Councillor Mete Coban and Councillor Clare Potter
- Officers in Attendance:** Aled Richards (Director Public Realm), Gerry McCarthy (Head of Community Safety, Enforcement and Business Regulations), Natalie Broughton (Strategic Policy Manager) Pragnesh Shah (Policy Planner) and Stephen Rix (Legal Services)
- Also in Attendance:** Cllr Caroline Selman

1 Apologies for Absence

1.1 Apologies were submitted on behalf of Councillors Levy, Stops, Brett, Bunt, Coban and Potter

2 Declarations Of Interest - Members To Declare As Appropriate

2.1 Councillors Hanson, Kennedy, Fajana- Thomas, Sharer, Ozsen and Potter declared a non- prejudicial interest at agenda item 4 – Revised Planning Sub-Committee Procedure as members of the Planning Sub- Committee.

3 Consideration Of Minutes Of The Previous Meeting

3.1 **RESOLVED** that the minutes of the previous meeting held on 30 October 2017 were agreed as a correct record.

4 Revised Planning Sub-committee Procedure

4.1 Mr Farley introduced the report seeking approval for revisions to the procedure for meetings of the Planning Sub-Committee and advised that the revised procedure would make the planning process more transparent for those attending the meeting. Mr Farley stated that the final version of the procedure had been sent to the Chair of the Planning Sub-Committee.

4.2 Cllr Hanson welcomed the revised procedure, which would ensure that the meeting process was transparent for all parties at the meeting.

RESOLVED to approve the revised procedure for meetings of the Planning Sub-Committee as attached at Appendix A of the report.

5 Planning Authority Monitoring Report 2017

5.1 Natalie Broughton introduced the report seeking approval of the Planning Authority Monitoring Report (AMR) for 2017, which provided monitoring information on spatial planning-related activity covering the financial years of 2015/16 and 2016/17 informing and monitoring policy development and performance. The report also provided an analysis of the effectiveness of the policy set out in the Local Plan and set out the challenges and opportunities that needed addressing in the Draft Local Plan 2033 (Draft Plan 2033). The report also set out details on receipts for the Community Infrastructure Levy (CIL).

5.2 Ms Broughton highlighted the key findings of the AMR for the following areas:

- **Housing** - Housing policy had been effective in delivering homes above target and challenges remained relating to issues of housing affordability for Hackney residents.
- **Employment** –There had been high levels of growth in new businesses within the borough and substantial new employment floorspace in the pipeline. The Draft Local Plan 2033 addresses this challenge by setting out an approach to a direct new employment development and providing better protection against the loss of industrial floorspace in the future. In addition the new Article 4 Directions would protect employment uses.
- **Retail and Town Centres** - Hackney had seen growth in the retail sector with high occupancy rates in all town and local centres in the Borough. The Draft Plan 2033 would set out a strategy to manage growth in retail and town centre uses with growth especially focused in Dalston and Hackney Central as the two major centres and Shoreditch in the Central Activities Zone.
- **Communities, Culture, Education and Health** – The planning and delivery of new primary schools had been positive in 2016.
- **Transport** - Cycling parking provision had increased along with public transport usage. Hackney had been approving car park free developments and the Draft Plan 2033 supported the case for Crossrail 2 to improve connectivity and facilitate growth.
- **Open Spaces Environment and Climate Change** - Improvements to open spaces had been delivered in Hackney over the last two years.
- **Heritage and Design** -Three sites previously listed on the heritage at risk register had been restored. The Draft Plan 2033 outlined the approach to be taken to ensure that heritage assets were protected whilst delivering housing and employment floorspace at higher densities.
- **Planning Performance** – Hackney had met the major targets set out in planning performance 2015/16 and 2016/17 despite a significant increase in the number of planning applications being processed. In addition, planning performance agreements had provided adequate revenue to support the service's continued excellent performance.

5.3 Councillor Fajana–Thomas asked why the report was being presented in December. Ms Broughton explained that the last report had been presented in July

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2016 and future reports would now be presented annually in the month of December to provide Members with a comprehensive and accurate analysis of service's performance. The housing completions until Autumn and there was now a statutory requirement to report on the Community Infrastructure Levy (CIL) by the end of the calendar year. Reporting any earlier would provide an incomplete analysis as all the relevant data would not be available.

5.4 Councillor Fajana–Thomas sought clarification regarding the percentage of developments completed following an application approval and the process of gathering this data. Ms Broughton stated that Hackney had a high implementation rate for completion of developments at approximately 80%. Mr Shah explained that the Council monitored the completion of developments by carrying out site inspections and recording this information on the Council's planning database. Furthermore, the data gathered on planning database annually was used to extract the relevant data for performance analysis.

5.5 Councillor Buitekant referred to the underperformance against the target for processing planning applications within 5 days. Ms Broughton advised that a review of the service's internal processes had been undertaken and the issues had now been addressed. Mr Richards also emphasised that there had been significant improvements in the processing of planning applications within the previous six months following the updating of processes within the service.

5.6 Councillor Sharman stated that the Council's planning policies needed to reflect the needs of local people and developments in the borough should be appropriate for Hackney residents. It was imperative that the Council's planning policies maintained and promoted a range of industries that encouraged growth which would provide employment and housing benefits for all residents by strengthening the number and quality of local jobs including the level of pay, conditions of service and therefore enabling locals access to better housing opportunities. There had to be less emphasis on promoting office developments and industries such as the gig economy that led to a poor labour environment and employment conditions. Sharman indicated that the report needed to incorporate the adverse impact of the current policies including housing affordability as incomes fall and house prices rise making housing unaffordable for many people in borough. Moreover, concern was expressed at the loss of open space in particular the volume and range of the existing open space.

5.7 Ms Broughton stated that there was a strong demand for office accommodation in Hackney and the Council had been considering ways of protecting existing industries through the introduction of policies such as designated industrial areas. Ms Broughton added that Hackney had delivered more affordable housing compared to other London boroughs. Delivery of affordable housing was subject to viability. The challenge of affordable housing had been identified and addressed in the draft Local Plan 2033 and proposals included securing affordable housing contributions from developers of smaller sites. Ms Broughton stressed that the AMR monitored the services performance against current policy and that some of the challenges within the borough had to be addressed through changes in policy.

5.8 Councillor Ozsen sought clarification regarding planning appeals and planning performance. Mr Richards explained that a good quality planning application was approved per plan however if an application was submitted without all the relevant information the Council could approve the application subject to conditions. This allowed the developer to obtain approval from other regulatory authorities for the

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proposed development without causing further delays. Ms Broughton explained that 68% of planning appeals were dismissed and that a minority of appeals were awarded to the appellant. Ms Broughton advised that following the meeting she would provide details of the costs awarded against the Council in lost appeals.

ACTION: Natalie Broughton

5.9 Councillor Kennedy requested that the Wards set out within the report should be updated to reflect the new boundaries. Mr Shah explained that the data on the central system was based on the old boundaries and that these boundaries enabled data to be compared and analysed. Mr Shah undertook to update the system with the new Ward boundaries.

ACTION: Mr Pragnesh Shah

5.10 Councillor Hanson commented that the figure in the first line at paragraph 12.7 at page 124 of the report be corrected.

RESOLVED to approve the Authority Monitoring Report 2017 (as set out in Appendix 1).

ACTIONED: Natalie Broughton

Details of costs awarded against the Council at appeal:

Year	£	
2015/16	0	
2016/17	8,449	
2017/18	1,400	Paid to date as at December 2017

NB. There is no set timeframe for costs awards to be resolved within.

6 Regulatory Services - Regulatory Services' Service Plan Update

6.1 Gerry McCarthy introduced the report which provided an update on the performance of the Food Safety and Trading Standards against the Service Plan to the end of Q4 2016/17. It also included priorities and areas of interest for the future and the work undertaken to improve the quality of food premises in Hackney and also assisting businesses to comply with their legal requirements. This was the first report since the implementation of the new Service introduced on the 3rd of May 2017.

6.2 Mr McCarthy highlighted the following areas:

- The Food Law Enforcement Service Plan Update data showed that 85% of Hackney's food premises were broadly compliant as of 31st March 2016.
- Hackney had the third highest number of food premises across the sector in the North East in food hygiene performance and was also ranked third in terms of broad compliance and the level of enforcement action taken
- Hackney had served the third highest number of hygiene improvement notices, the fourth highest number of Hygiene Emergency Prohibition Notices and had the 6th highest number of voluntary closures.

- Hackney was the only borough to have completed 100% inspections of high risk premises for food standards.

6.3 Mr McCarthy emphasised that the percentage of broadly compliant premises had improved in the Borough following the targeting of premises that were not broadly compliant and those premises not yet rated. In addition, greater emphasis had been placed on driving up compliance through advice, education and inspections of establishments in breach of the law. The Service also fulfilled the public safety and health role including prevention of sale of dangerous products such as the supply of age-restricted products to minors and assisting businesses comply with safety legislation in order to protect consumers from unfair trading practices. The service supported individuals, communities and businesses enabling people to buy goods and services with confidence and security.

6.4 Councillor Sharman welcomed the report, however, he stated that the report should have incorporated future priorities and targets in order to measure the performance of the service.

6.5 Mr Richards explained that service plans were approved by the relevant Cabinet Member and it was agreed that the draft service plan including targets and priorities would be submitted at the next Committee meeting for Members' feedback. Mr McCarthy emphasised that the service took a proactive approach in enforcement especially age restricted items by carrying out more pro-active inspections of fireworks, tobacco, dangerous weapons such as knives and alcohol. The Council also jointly worked with Scam Busters to identify large scale fraud and scams and engaged with businesses including sending approximately 800 letters to traders reminding them of their responsibility in relation to the national minimum wage. The service took all the necessary action to provide advice and assist businesses to comply with regulations prior to any enforcement action being taken. Mr Richards highlighted that the Council had taken measures to address the rise in acid attacks by operating a voluntary scheme with shop owners not to sell products containing corrosive substances to under 16 years olds. Councillor Selman emphasised that this report was reporting on the service's performance and future targets would be included in the draft service plan

6.6 Councillor Kennedy enquired about the progress of the work undertaken under the Food Safety Authority (FSA) food fraud project. Mr McCarthy stated that although the FSA funded project had not progressed, the Service had proactively undertaken two action days specifically targeting traders in Ridley Road, butchers and importers to ensure compliance with food safety rules and one more day of action had been scheduled. Furthermore, the origin of imported products was also checked at shipping ports before they made it to the markets.

6.7 Councillor Ozsen enquired whether it would be feasible to reduce the time it took FSA to test food samples from four weeks and whether counterfeit goods were covered by this service. Mr McCarthy said that the testing of samples to ensure compliance with food safety requirements was under the national coordinated sampling programme set by Public Health England. With regard to counterfeit goods the service inspected and took enforcement action on counterfeit goods such as cosmetics.

6.8 Councillor Ozsen enquired whether any of the 2015/16 plan had not been achieved. Mr McCarthy said that the main challenge was non-compliance and an additional officer had to be employed to complete the project sand backlog needed to be addressed in the future.

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6.9 Councillor Fajana –Thomas enquired about food fraud in relation to other foods consumed such as dried fish etc. Mr McCarthy stated that the service had a dedicated Environmental Health Officer covering this area and enforcement officers were targeting traders in Ridley Road markets.

ACTION: Aled Richards/Gerry McCarthy

Draft Regulatory Services' (Enforcement, Trading Standards, Health and Safety and Food Safety) Service Delivery Plans to be submitted at the meeting scheduled in July 2018.

RESOLVED to note the level and scope of work being carried out to meet the requirements of the plan.

7 Work Programme 2017/18

7.1 The work programme 2017/18 was noted.

7.2 It was noted that the Draft Regulatory Service's Service Plan and Environmental Enforcement Report 2016/17 would be included in the work programme for March 2018.

8 Any Other Business Which In The Opinion Of The Chair Is Urgent

8.1 There was no other urgent business.

Duration of the meeting: 6.30 - 8.10 pm

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