

MINUTES OF A MEETING OF THE CORPORATE COMMITTEE

TUESDAY, 8TH JANUARY, 2019

- Councillors Present:** Councillor Jessica Webb in the Chair
- Cllr Susan Fajana-Thomas (Vice-Chair),
Cllr Katie Hanson, Cllr Vincent Stops,
Cllr Mete Coban, Cllr M Can Ozsen,
Cllr Ajay Chauhan, Cllr Margaret Gordon and
Michael Levy
- Apologies:** Councillor Brian Bell, Councillor Sade Etti, Councillor Ned Hercock, Councillor Clare Joseph, Councillor Peter Snell and Councillor Tom Rahilly
- Officers in Attendance:** Dan Paul (Head of HR, OD and Elections), Aled Richards (Director Public Realm, Neighbourhoods and Housing), Gerry McCarthy (Head of Community Safety, Enforcement and Business Regulations, Neighbourhoods and Housing), Natalie Broughton (Strategic Policy Manager, Neighbourhoods and Housing), Yvette Ralston (Planning Services) and Sean Eratt (Legal Services).
- Also in Attendance:** Cllr Caroline Selman (Cabinet Member for Community Safety, Policy, and the Voluntary Sector) and Cllr Aron Klein

1 Apologies for Absence

1.1 Apologies for absence were received from Councillors Bell, Etti, Joseph, Hercock, Rahilly and Snell.

2 Declarations of Interest - Members to Declare As Appropriate

2.1 There were no declarations of interest.

3 Consideration of Minutes Of The Previous Meeting

RESOLVED that the minutes of the previous meeting held on 10 October 2018 be approved as a correct record.

4 Pay Policy Statement 2019/20

4.1 NOTED that 2019/10 be amended to 2019/20 at paragraph 3.2 of the report.

4.2 Dan Paul introduced the report stating that the Localism Act 2011 required the Council to publish an annual pay statement for Chief Officer Pay and outlined the Pay Policy Statement for 2019/20.

4.3 In response to questions from Members regarding the proposed pay policy and officer pay excluding election salary, Mr Paul clarified that there had been no substantive changes to the policy and that the calculation of the pay multiples and methodology remained unchanged. However, the median pay had been updated to take into account an increase in salary of the lowest paid employees with all employees receiving an hourly rate that was equivalent to or higher than the London Living Wage and since 2017/18 the earnings of the lowest paid employee had risen at a greater rate than the highest paid earner. At paragraph 3.3 of the report four pay ratios had been presented and one ratio excluded election payments.

RESOLVED to agree the Pay Policy Statement 2019/20 and recommend Council approve it.

5 Review of Polling Districts and Polling Places

5.1 Dan Paul introduced the report seeking approval for the polling districts and polling places. Following the review and responses received during the consultation it had been recommended that the polling districts and places remained unchanged.

5.2 Councillor Hanson referred to the HSSA polling district and queried whether Pitcairn House Community Hall polling station would continue to be used as it was outside the polling district and furthermore this polling station was located within a block of flats which could lead to confusion amongst residents about their polling station. Mr Paul replied that it was recognised that some polling stations could be located outside their polling districts or places, which was necessary due to various factors including location and suitability of a building and the difficulty of finding alternative suitable venues within a polling district. Mr Paul emphasised that at the last by-election there had been no issues or confusion with the location of the polling station and that residents of this block were aware that they were registered to vote at a different station.

5.3 Councillor Hanson referred to page 41 of the report and observed that the other entrance of Pitcairn House Community Hall on Mare Street was hidden by overgrown bushes and down a flight of steps. Cllr Hanson stated that at the last election the main entrance doors on the side of the building had been locked with voters having to use the entrance on Mare Street and concern was expressed that this could have confused voters and adversely impacted on the voting turnout that morning. Mr Paul acknowledged that the doors were locked but stated that signs had been placed at this entrance directing voters to Mare Street. In addition, this had not been a contributing factor for the poor turnout at this station as polling stations across the borough had experienced lower than average turnout during the morning of the elections. In future the doors on the side of the building would be open for this polling station.

5.4 Councillor Oszen referred to HSQE Fellows Court Community station and HSQC Laburnum Boat Club station and stated that residents in the same area sometimes voted at different polling stations. Mr Paul replied that this was due to the size and location of polling stations and managing the electorate across all available buildings in that area. The Council had found it a challenge to find suitable buildings for elections, however, it used the best buildings and locations for its polling stations.

5.5 Councillor Oszen indicated that the boundaries of the Wards at HNP London Fields and HSIE Leabridge had been an issue for his constituency and requested if representations could be made to the Boundary Commission to align the constituency boundaries. Mr Paul stated that the Boundary Commission for England was currently in the process of reviewing parliamentary constituency boundaries and that it was not an appropriate time to make representations. However, this issue could be re-considered following the changes to the parliamentary boundaries.

5.6 Members thanked officers for the well written report.

RESOLVED to approve the final proposals in respect of the review:

- i) To make no changes to the existing Polling Districts.**
- ii) To continue to designate the entire Polling District as the Polling Place for that Polling District.**

6 Regulatory Services Service Plan Update

6.1 NOTED the following amendments at page 121 of the report:

- Page 121 - title to be amended from Indicators '2018-19' to '2019/20' and targets be amended from '31 March 2018' to '31 March 2019'

6.2 Gerry McCarthy presented the Food Law Enforcement Service Plan 2018/19 update and performance of the Environmental Health Service against the Plan for the 2017/18 and to end of Q2 2018/19. The report also highlighted the work of Hackney Trading Standards for 2017/18 and end of Q2 2018/1 as follows:

FOOD LAW ENFORCEMENT SERVICE PLAN UPDATE

- Hackney Trading Standards for 2017/18 and to the end of Q2 2018/19
- The FSA's Local Authority Enforcement Monitoring System (LAEMS) data shows that 87% of Hackney's food premises were broadly compliant as of 31st March 2018.
- The breakdown of category A-C premises from the submitted 2017/18 LAEMS return, which highlighted that Hackney had the third highest number of food premises across the sector.
- Hackney had completed 100% inspections of high risk premises for food standards within the NE London Food Sector boroughs.
- Food Hygiene Inspection Programme - There has been a backlog of inspections of B, C, D and E premises.
- Food Hygiene Rating Scheme – since April 2018 12 premises had applied to be re-rated. However, there had been a lower uptake from SME and more information would be provided on the Council's Launch and Landing pad to increase uptake.
- There has been an overall decrease in enforcement activities mainly due to improved engagement with businesses.

TRADING STANDARDS SERVICE PLAN UPDATE

- The scheme comprised a hazard element that is particular to the individual business such as a high risk premises selling products subject to safety legislation such as knives.

- There had been a rise in the number of consumer complaints for the same period for the previous year
- 52 of 72 weights and measures inspections had been undertaken
- Following from Operation Razorfish and Operation Bacchus a notice was served on a hotel for allowing child sexual exploitation and two proxy sales of alcohol were followed up with the licensee in relation to maintaining the licencing objective of safeguarding children from harm. Seven premises across the North and South of the Borough were visited with a sniffer dog and all were compliant in relation to legal tobacco.
- The Service had received the highest volume of complaints about rogue traders in this area
- Officers had conducted 21 animal feed visits out of 29 registered premises,
- There had been a reduction from three accredited financial investigators undertaking investigations to one at the end of Q2 2018/19
- Low risk category food businesses had been rated as a high risk as there was a backlog of inspections with 450 overdue in category D premises and 494 category E premises.

6.3 Cllr Stops asked what enforcement action was being undertaken to prevent the illegal sale of products on market stalls in Mare Street Narrow Way. Mr McCarthy assured Members that the Council carried out regular visits of stalls in particular to identify the sale of illegal cigarettes and alcohol.

6.4 Councillor Stops expressed concern that a premises found to be in breach of trading standards could continue to operate under a different name but under the same management. Mr McCarthy said that Public Health were specifically funding the role of an additional enforcement officer focusing on the enforcement of illegal tobacco and alcohol sales.

6.5 Councillor Ozsen enquired whether officers carried out food hygiene inspections of wholesaler premises and how many food samples were tested in a year. Mr McCarthy clarified that inspections of wholesalers were part of the Service's sampling programme and that it was cost effective for boroughs to submit their samples as a group for basic testing, however, results of more detailed sample tests would take longer.

6.6 Councillor Gordon sought clarification regarding the support offered to SME businesses and market traders. Mr McCarthy indicated that the Council had a Launch Pad webpage to provide advice and support to new SME businesses within the borough and also signpost traders to relevant information such as waste contract. In addition, officers were liaising with the Relationship Team to review and update the information on this webpage and Mr Richards added that the Markets Team specifically provided support for street traders to ensure that they complied with regulations.

6.7 Councillor Chauchan referred to low risk category food businesses at page 105 of the report and enquired about any extra resources within the service. Mr McCarthy confirmed that temporary staff had been employed to clear the backlog of overdue food hygiene inspections of Category D rated premises. The Service saw a peak in applications during the months of April to May, September to October, November to December and January when extra resources were required.

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6.8 The Chair enquired if the sale of e-cigarettes and vapors to minors was illegal and whether any enforcement action could be taken. Mr McCarthy indicated that he would a response following the meeting. Councillor Selman added that there was a growing trend among young people using e-cigarettes/vapors and that Trading Standards could further investigate if there was a legal age limit restricting the sale of e-cigarettes/vapors.

ACTION: Mr McCarthy to provide information on the sale of e-cigarettes to minors.

6.9 Members requested that a senior officer from the Street Markets Team attend a future meeting of the Corporate Committee to discuss issues relating to the tables and chairs licence including whether the licence could stipulate the number of tables and chairs permitted for the premises.

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

7 Planning - Authority Monitoring Report 2017/18

7.1 NOTED at page 130 of the report, third line of the last bullet point the amendment from '9,705' to '17,979' sqm of B8 floorspace.

7.2 Natalie Broughton introduced the Authority Monitoring Report (AMR) report providing monitoring information on the performance of Local Plan policies or policy documents and updates on planning-related activity and planning decisions over the past financial year 2017/18. It also reported on progress in new plan making (the implementation of Hackney's Local Development Scheme 2018-2021) and progress on Neighbourhood Planning in the Borough.

7.3 Ms Broughton highlighted the key findings of the AMR as follows:

- **Housing**

The Council's housing policy had delivered 7,165 new homes and outperformed the target between the financial years 2013 and 2017. A total of 482 housing units had been delivered in 2017 on small sites with less than ten units. In the financial year 2017 properties were slightly more affordable than the previous year with the average cost of homes 15 times average income and the Local Plan (LP) 2033 included a strategy requiring 50% affordable housing subject to a viability test to address housing affordability issues in the borough. Furthermore, the Council was introducing a new policy which would secure and deliver affordable housing on small sites.

- **Employment**

Hackney had approved planning applications that would provide 192,953 sqm net of new space mainly B1 (offices) use class in the future and between 2012-17 Hackney had gained 9,355 active enterprises creating more demand for workspace floorspace. However, there had been a loss of B1c, B2 and B8 industrial use floorspace and this was in line with the steady decline in industries and since 2013 Planning Service had secured 8,603.5 sqm of affordable workspace through S106 agreements. The proposed LP 2033 sets out the approach for securing more affordable workspace and protecting industrial floorspace. This was further strengthened by Article 4 Directions removing permitted development rights and protecting floorspace of employment uses.

- **Retail and Town Centres**

Overall there had been an increase in A1 retail floor space across the borough over the previous 5 years and town centres were expected gain more A1 A2 and A3 floorspace. However, there had been an overall loss of A4 drinking establishment floorspace in the borough with the exception of Hackney and Lower Clapton Road. Under LP 2033 the Council would be upgrading the designations of two Town Centres - Hackney Central will be upgraded from a district to major centre and Stamford Hill from a local to a district centre, and four new Local Centres will be designated at Greens Lane, Hackney Downs, Old Street and Dunsmere Road. The LP 2033 in conjunction with Article 4 Directions set out policies to protect retail floorspace especially in Town Centres, District Centres and Local Centres.

- **Communities, Culture, Education and Health**

In 2017/18 the Council had signed agreements totalling £7m and received a total of £3.6 million in Section 106 payments, £9.8m in Community Infrastructure Levy (CIL) contributions and collected £3.9 million for the Mayoral CIL.

- **Transport**

More people in Hackney used walking as their main mode of transport compared to Greater London boroughs and there had been a significant increase in the use of public transport. There had also been a growth in car free developments in the borough and planning policies had facilitated the delivery of 93% of completed developments that were car free in 2017/18 and an increase from the previous year. In addition, LP 2033 explored connectivity and growth linked to Crossrail 2 through the Dalston Masterplan SPD.

- **Open Spaces Environment and Climate Change**

Hackney was one of the greenest inner London boroughs with a net gain of usable open space in the last five years. It also had a total of 396 hectares of open spaces and 25 of 58 parks/open spaces in the borough had been awarded Green Flag status in 2017/18. Section 106 contributions had also been used to make improvements to existing open spaces.

- **Heritage and Design**

In 2017 the Heritage Risk Register showed a reduction of sites from 31 to 29 in the listed buildings at risk within the borough. Since 2013 ten tall buildings had been built with nine buildings having residential units and a further 18 tall buildings were in the pipeline.

- **Planning Performance**

In 2017/18 a total of 37 or 100% major planning applications were processed and determined in accordance with agreed timescales, outperforming the target set at 70% and 89% of building control applications were processed within 3 days which was above target. However, there remained challenges in meeting targets for planning application validations and registering applications by the deadline due to ICT and print room issues.

- **Local Development Scheme**

The Council was progressing towards the next phase of policy making. The draft LP 2033 was scheduled for submission to Government in January 2019.

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7.4 Councillor Stops indicated that the Local Plan may need to be reviewed to take into account the uncertainty surrounding the Crossrail 2 project and requested that comparable data relating to the performance of Hackney and London boroughs in relation to housing be included in future reports. Ms Broughton advised that the uncertainty of the Crossrail 2 project would not impact on the local plan as there was no assumption based on delivery of this project and that this issue would be addressed in the Dalston Masterplan. Ms Broughton explained that Greater London Authority (GLA) produced a monitoring report that provided performance information in relation to the delivery of housing including social and affordable housing. The Chair indicated that it was not necessary to duplicate information in reports and requested that the GLA monitoring report relating to housing be circulated to Members.

ACTION: Natalie Broughton to circulate to Members the GLA monitoring report relating to housing performance when available.

7.5 Councillor Stops noted the reduction in floorspace for drinking establishments and asked how many public houses were in Hackney. Ms Broughton emphasised that there had been a minor loss of floorspace at approximately 1,400 sqm over a five year period and mentioned the Article 4 Direction on the Chesham Arms Pub to protect this public house. Ms Broughton indicated that she would provide the number of public houses following the meeting. In addition, Mr Richards stated that the Council attempted to list as many existing public houses to protect their status.

ACTION: Ms Broughton to provide the information in relation to the number of public houses in Hackney.

7.6 Councillor Hanson enquired about planning appeals performance. Ms Broughton stated that planning appeal performance figures were available at page 220 of the report and that a further appeals analysis report was being prepared for the Planning Sub-Committee in February 2019, which would examine the planning appeals dismissed, Planning Inspector's decision and the robustness of the Council's planning policies.

7.7 Councillor Ozsen asked whether the Local Plan 2033 reflected the needs of the local population such as elderly needs and any inconsistencies with the London Plan. Ms Broughton stated that LP 2033 reflected many of the policies within the draft London Plan such as housing targets and protection of local industries. However, there were minor differences in areas where the GLA took a different approach such as the viability test for affordable housing and tall buildings. Members indicated their support for the Council maintaining 50% viability test for affordable housing.

7.8 Councillor Chauhan queried the population forecast for Hackney of 321,000 by 2033 and asked about the timeline for the adoption of the LP 2033. Ms Broughton emphasised that the Council had worked with population experts to produce a realistic and robust population figure and since Brexit there had been a rise in out migration of the borough especially Western Europeans residents and changing patterns of families settling in Hackney. Ms Broughton outlined the timetable for adoption of the Local Plan 2033 including submission of the draft plan to Government by 24 January 2019 followed by examination hearings in May 2019 and receipt of the Inspector's report with any recommendation by September 2019 and any further consultations prior to adoption by Full Council in January 2020.

7.9 The Chair commended officers for the well written report.

RESOLVED to:

a. approve the **Authority Monitoring Report 2017/18 (as set out in Appendix 1)** subject to the amendment set out in paragraph 7.1

b. approve the **Local Development Scheme 2018/19 – 2020/21**

Draft Work Programme 2018/19

8.1 The draft work programme 2018/19 was noted.

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

9.1 There was no other urgent business.

Duration of the meeting: 6.30 - 8.00 pm

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