

MINUTES OF A MEETING OF THE CORPORATE COMMITTEE

MONDAY, 3RD JUNE, 2019

Councillors Present: Councillor Jessica Webb in the Chair
Cllr Susan Fajana-Thomas (Vice-Chair),
Cllr Katie Hanson, Cllr Vincent Stops,
Cllr M Can Ozsen, Cllr Brian Bell,
Cllr Ajay Chauhan, Cllr Clare Joseph,
Cllr Anthony McMahon, Cllr Carole Williams and
Cllr Peter Snell

Apologies:

Officers in Attendance: Gerry McCarthy, Daniel O'Sullivan

Also in Attendance: Cllr Caroline Selman
Tess Merrett, Governance Manager

1 Chair and Vice-Chair for the Municipal Year 2019/20

The Governance Manager opened the meeting in order for the Committee to propose and second the nomination of Cllr Jessica Webb as Chair of the Corporate Committee. Cllr Webb had been nominated as the proposed Chair by Full Council at its AGM on 22 May 2019. Cllr Fajana-Thomas proposed the nomination and Cllr Stops seconded it. Cllr Webb then took the Chair and asked for a proposer for the nomination of Cllr Fajana Thomas as Vice Chair as made by Full Council at its meeting on 22 May 2019. Cllr Stops proposed and Cllr Webb Seconded.

RESOLVED to approve the nomination of Cllr Jessica Webb as Chair of the Corporate Committee and the nomination of Cllr Susan Fajana-Thomas as Vice-Chair of the Committee.

2 Apologies for Absence

Apologies had been received from Cllrs Hercock, Coban and Race.

3 Declarations of Interest - Members to Declare As Appropriate

There were no declarations of interest.

4 Consideration of Minutes Of The Previous Meeting

RESOLVED that the minutes of the meeting held on 9 April 2019 be agreed as a true record.

5 Establishment and Composition of the Planning Sub Committee 2019/20

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There were two amendments to the appendix to the report. Cllr McMahon was withdrawing from membership of the Planning Sub-Committee and Cllr Benzion Papier was to be added as a substitute.

Cllr Stops highlighted the need for all members, including substitutes to receive training on planning before they could sit on the sub-committee.

Cllr Snell asked if more use could be made of the substitutes for the sub-committee in the same way they were for Licensing Sub-Committees. Cllr Stops said that if the members attending for a particular meeting fell below six, then officers would seek to find a substitute. This was not a regular occurrence.

RESOLVED to

- Establish a Planning Sub-Committee
- Approve the membership of the Planning Sub-Committee as follows
 - Cllr Vincent Stops
 - Cllr Katie Hanson
 - Cllr Brian Bell
 - Cllr Susan Fajana-Thomas
 - Cllr Ned Hercock
 - Cllr Clare Joseph
 - Cllr Steve Race
 - Cllr Peter Snell
 - Cllr Michael Levy
- Approve the substitute members of the Planning-Sub Committee as follows
 - Cllr Soraya Adejare
 - Cllr Sophie Conway
 - Cllr M Can Ozsen
 - Cllr Clare Potter
 - Cllr Tom Rahilly
 - Cllr Benzion Papier
- Nominate Cllr Vincent Stops as Chair of the Planning Sub-Committee and Cllr Katie Hanson as the Vice-Chair of the Planning Sub-Committee for the Planning Sub-Committee to ratify at its first meeting.

6 Annual Performance Report Of Shop Fronts Licensing And Enforcement

Daniel O'Sullivan introduced the report and highlighted the key issues.

Cllr Hanson welcomed the introduction of business premises being required to display their licences and noted that other boroughs had this requirement. It was noted that some businesses owned the strip of land in front of the premises and she asked if there was any way of identifying those businesses. Daniel O'Sullivan said he would explore this issue.

Cllr Snell asked where the figures in the report came from. He also asked what consideration had been given to disability access and adequate pavement space.

Daniel O'Sullivan said that a request for a licence triggered an officer visit to assess

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the available space and whether the licence applied for was appropriate. If there was inadequate space, the licence would be denied.

Daniel O'Sullivan said that the figures were built on like for like from previous years so that the combination of temporary licences and permanent licences granted in any year or rescinded indicated the % increase in occupancy.

Cllr Fajana Thomas thanked officers for the report. She asked at what point did the Council become concerned about balancing the desire to have tables and chairs on the pavement and access.

Daniel O'Sullivan said that officers looked at over saturation in any area. There was particular concern from members regarding the use of planters to extend the licensed area.

Daniel O'Sullivan said that when planters were identified, officers measured the distance and ensured that they were brought back inside the licensed boundary. The Market and Street Trading team was working on policies around all of these issues ready for consultation. Officers were building strong links within the communities to ascertain what was wanted and what could be accommodated.

Cllr Stops expressed his satisfaction that the issue of tables and chairs on pavements was being taken seriously. Pavements in Hackney had limited space and needed to be managed properly. Some businesses owned the basements of the premises but not the public highway. The Committee had previously approved a 1.2m minimum space standard although it would have preferred 2m. In some areas there was no room to accommodate tables and chairs on the pavements.

Cllrs Bell, Snell, Ozsen left the meeting to attend the Licensing Committee.

It was noted that many businesses were not in fact displaying their licences in the window and asked if the successful prosecutions could be publicised. Daniel O'Sullivan extended an invitation to all committee members to accompany officers on an inspection. It was also noted that extra resource was now in place which meant that enforcement of licence conditions could take place 7 days a week and beyond 6pm. This had not been possible previously.

Cllr Ozsen asked via the Chair if clear information leaflets could be produced for businesses which set out the terms and conditions of licences. Daniel O'Sullivan said that such a leaflet had been produced for market traders and was on the website and officers were working on something similar for shop front licences.

RESOLVED to note the content of the annual report and the level and scope of work being carried out in relation to Shop Fronts Licensing and Enforcement.

7 Business Regulation Service Delivery Plans 2019/20

Gerry McCarthy highlighted the key issues in the report, what was being done and the achievements.

Cllr Fajana Thomas asked if anything further had been done regarding awareness and education in Ridley Road.

Gerry McCarthy explained that the initial ports of entry such as Heathrow and Felixstowe only checked on imports from high risk countries. However, imports could be diverted via low risk countries so escape border controls. It was difficult to enforce but a day of action had been held in Ridley Road in December and further events were planned. Officers had arranged for Port Health colleagues from Heathrow to visit Hackney to show them the extent of the problem and the need to be vigilant when checking imported food from all non EU countries. Officers take an active role in local, regional and national food fraud initiatives and meetings, by organising intelligence led action days to disrupt potential fraudulent activities and increasing enforcement for non-compliance following a graduated approach.

Cllr Joseph asked if fines issued to small business which may have difficulty in paying were demanded up front. Gerry McCarthy said that there was a discount for early payment and in extremis, payment could be made in instalments.

Cllr Chauhan, in respect of fair trading, asked what safeguarding procedures were in place. Gerry McCarthy said that door – stepping fraud was an issue in Stoke Newington and Stamford Hill. Advice was given to elderly vulnerable residents at events such as the Winter Warmer.

Cllr Chauhan asked if there was any opportunity to increase revenue in respect of food inspections. Gerry McCarthy said that the only opportunity was through running courses on food safety, e.g. around allergens and undertaking re-inspections of premises that had received a low rating on their initial inspection. Take up was low and it was mainly from chains as opposed to small businesses. Most of the businesses in Hackney are SMEs and the Council is trying to encourage these to continue operating and our policy is to provide advice and education as opposed to penalising businesses. Enforcement action was taken where businesses were not broadly compliant, i.e. had a food hygiene rating of less than 3.

Cllr Stops asked if something further could be done regarding rogue estate agents and their boards. Cllr Hanson suggested an email to estate agents about the regulations.

RESOLVED

- **To approve the Food Law Enforcement Service Plan for 2019/2020**
- **To note the level and scope of work being carried out to meet the requirements of the Occupational Health and Safety and Trading Standards Service Delivery Plans.**

8 Enforcement Services Delivery Plan 2019/20

Gerry McCarthy took the Committee through the report.

The Committee asked if a key could be provided for the Fixed Penalty Notice table. Gerry McCarthy said this would be provided in the next report submitted to the Committee.

The Committee also asked if people could be encouraged to report ASB and maybe something could be included in Hackney Today to advertise this.

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Cllr Joseph asked if people reporting noise nuisance received any follow up as to resolution. Gerry McCarthy said that someone reporting domestic noise on a weekend would receive a call back on the same night.

Cllr McMahon asked if there was a principal enforcement officer (PEO) in every ward and if so was this officer the primary point of contact. Gerry McCarthy confirmed this was the case but the PEOs covered two wards.

Cllr Joseph said that not all residents were comfortable reporting noise nuisance online. Gerry McCarthy said that residents could still telephone the contact centre during the day Monday to Friday or could call the published out of hours number to report nuisance. He added that recording equipment was available for on-going domestic noise nuisance but this was only for internal recording within properties and not for external use.

RESOLVED

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

9 Draft Work Programme 2019/20

Cllr Stops asked that for the September meeting, the current item 3 on the draft work programme, Highway Obstruction and Enforcement of Street Furniture, could be replaced with an update on the work being done on policies for consultation on tables and chairs and the terms and conditions for licences as Highway Obstruction had been discussed at this meeting.

With this amendment, the Committee noted the draft work programme.

10 Any Other Business Which in The Opinion Of The Chair is Urgent

There was no other urgent business.

Duration of the meeting: 6.30pm