

LONDON BOROUGH OF HACKNEY COUNCIL

CABINET DECISION NOTICE - 13 SEPTEMBER 2021

This document outlines the decisions taken at the above Cabinet meeting.

Unless otherwise indicated, executive decisions listed in this document will come into force and may then be implemented 5 working days after publication of this document unless the decision is called in. During that period the Director of Legal & Governance may call-in a decision for scrutiny if so required by no fewer than 5 Members of the Council (Part 4 of the Council's Constitution; Scrutiny Procedure Rules: Call-in Procedures).

Date of Publication:

14 September 2021

Last Date for Call-In:

21 September 2021

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6. **To consider the unrestricted minutes of the meeting of Cabinet held on 19th July 2021**

RESOLVED:

That the unrestricted minutes of the Cabinet held on 19th July 2021 be approved.

7. **FCR R80 Capital Update Report**

RESOLVED:

- i) **That the scheme for Chief Executives as set out in section 9.2 of the report be approved as follows:**

Stoke Newington Library Refurbishment: Spend approval of **£100k in 2021/22** to fund the survey and development plans for the refurbishment of this facility.

- ii) **That the scheme for Neighbourhood and Housing (Non) as set out in section 9.3 be approved as follows:**

Tennis Court Refurbishments: Resource and spend approval of **£148k in 2021/22** to fund the refurbishment works to Tennis Court Facilities.

Tree Planting Programme: Resource and spend approval of **£2,125k in 2021/22** is requested to fund the programme to increase tree canopy cover around the borough.

- iii) That the **S106 schemes as set out in section 9.4 of the report and summarised below be approved as follows:**

S106	2021/22 £'000
Capital	67
Total S106 Resource & Spend for Approval	67

- iv) That the scheme summarised in section 9.5 be noted;

- v) That the expenditure plans and associated resources to be carried from 2020/21 to 2021/22 as set out in para 9.6 and summarised below be approved:

Current Directorate	Slippage 20/21
	£'000
Total Non-Housing	7,826
Total Housing	12,310
Total	20,136

- vi) That the re-profiling of the budgets as set out in para 9.7 and summarised below be approved:

Current Directorate	Re-profiling 21/22	Re-profiling 22/23	Re-profiling 23/24
	£'000	£'000	£'000
Total Non-Housing	(27,436)	26,686	750
Total Housing	(44,096)	54,096	(10,000)
Total	(71,532)	80,782	(9,250)

- vii) **That the capital programme adjustments as set out in para 9.8 and summarised below be approved:**

Current Directorate	Capital Adjustments 21/22
	£'000
Total Non-Housing	(150)
Total Housing	(149)
Total	(299)

REASONS FOR DECISION

The decisions required are necessary in order that the schemes within the Council's approved Capital programme can be delivered as set out in this report.

In most cases, resources have already been allocated to the schemes as part of the budget setting exercise but spending approval is required in order for the scheme to proceed. Where however resources have not previously been allocated, resource approval is requested in this report.

8. FCR R79 2020/21 Overall Financial Position, Property Disposals and Acquisitions Report

RESOLVED

- i) That the extension of the lease to Clarion Housing to 999 years as set out in 2.7 to 2.9 of the report be authorised;**
- ii) That the Group Director of Finance and Resources to negotiate and settle all the commercial terms of the proposed transaction be authorised;**
- iii) That the Director of Legal and Governance be authorised to agree and enter into all necessary documentation to effect this transaction; and**
- iv) That the update on the overall financial position for July, covering the General Fund, Capital and the HRA be noted.**

REASONS FOR DECISION

To facilitate financial management and control of the Council's finances and to approve the property proposal

9. CACH S022 Early Years Strategy 2021 - 2026

RESOLVED

That approval be given to the Early Years Strategy, the underpinning principles and the proposed direction of travel.

REASONS FOR DECISION

Hackney Council is required to fulfil the Statutory Duties for Early Years. The Council is required:

To improve outcomes so that young children achieve a good level of development in the 3 prime areas of learning set out in the Early Years Foundation Stage framework - language and communication, physical development, and personal, social and emotional development.

To shape effective quality early years settings, evidenced to be a key element in improving outcomes and life chances for children from disadvantaged backgrounds.

To provide advice, information and guidance to parents and carers, settings and agencies through the Parenting & Family Information Service.

To ensure sufficient early education & childcare provision, and a coordinated approach to services for pregnant women and preschool children. Working through children's centres, to promote integrated health, education and parenting support, training and employment skills.

To support eligible 2 year olds, and all 3 and 4 year olds to take up their 15 or 30 hours free early years entitlement.

10. NHR 38 HOUSING GRANTS AND ASSISTANCE POLICY FOR PRIVATE SECTOR HOUSING

RESOLVED:

- i) That approval be given to the “Housing Grants and Assistance Policy for Private Sector Housing” as attached in Appendix 1 to the report; and**
- ii) That authority be delegated to the Strategic Director, Inclusive Economy, Policy and New Homes in order to make minor amendments to the Housing Grants and Assistance Policy for Private Sector Housing in the future.**

REASONS FOR DECISION

The Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 (RRO 2002) came into force on July 18th 2003 and was revised December 1st 2016. It changed the way local Councils can give grants, allowing them wider independence to target grant aid to key priorities in their own areas.

Hackney’s existing Disabled Adaptation Policy was last reviewed on the 1st of April 2012 within the “preparing a policy” guidelines under the RRO 2002. A review of that policy was necessary to enable the Council to address issues on a wider preventative basis that could not be covered using mandatory Disabled Facilities Grants (DFGs) alone. It also presented an opportunity to improve the efficiency in managing and delivering the grants schemes.

The adoption and publication of a policy for housing assistance is a requirement of the RRO and the Housing Renewal Guidance 2003 before assistance can be offered. The scope of the RRO is very wide and allows the Council to decide whether and how it provides grants, loans, advice, or other assistance for the purpose of repairing, improving, extending, converting or adapting housing accommodation.

This policy sets out the framework within which Hackney will offer aids and adaptations and other housing grants to owner-occupiers, private rented sector tenants, and tenants of Registered Provider landlords.

11. NHR74 Appropriation of Regeneration Sites to Housing Purposes

RESOLVED:

- i) That the land shown edged red on the plans at Appendix 1 upon practical completion of the developments be no longer required for**

planning purposes, and approval be given to the appropriation of the land to housing purposes, to be transferred to and administered from the Housing Revenue Account in accordance with section 9 of the Housing Act 1985 and section 122(1) of the Local Government Act 1972; and

- ii) That the Group Director, Chief Executive's Directorate and the Director of Legal and Governance be authorised to deal with all necessary arrangements to effect the appropriation set out in the report.**

REASONS FOR DECISION

Appropriation of land for planning purposes under section 203 of the Housing and Planning Act 2016 provides the Council with a mechanism for helping minimise the delay or uncertainty associated with regeneration projects by ensuring that the proposed developments cannot be held up by injunctions in support of third party rights.

In order to de-risk development schemes within the Estate Regeneration and Housing Supply Programmes, Cabinet has previously granted approval to appropriate land at regeneration sites for planning purposes. A list of these sites for which records are available at the current time is set out below, and the associated Cabinet reports are referenced at Appendix 2:

- Kings Crescent Phase 1 and 2, N4
- King Edwards Road, E9
- Great Eastern Buildings, E8
- Colville Phase 2C, N1
- Frampton Arms, E9
- Lyttelton House, E9
- Nightingale Estate, E5
- Mandeville Street, E5
- Pedro Street, E5
- Daubeney Road, E5
- Kings Crescent Phase 3 and 4, N4

Upon practical completion of the developments, the land listed in paragraph 4.2 and outlined in red on the plans at Appendix 1 is no longer required for planning purposes. It is recommended that the land shown at Appendix 1 is appropriated as housing land and transferred back to the Housing Revenue Account once each development is completed.

Subsequent to the transfer of land back to the HRA, the Council will lose the benefits of the appropriation for planning purposes. The Council will not, however, lose the protection over whatever was built while the land was appropriated for planning purposes, and as such the newly built developments would not be subject to an injunction (i.e. third parties whose rights have been injured as a result of the development will not be able to halt the development).

12. CACH S019 City and Hackney Safeguarding Adults Board Annual Report.

For information only.

13. CE S021 The London Borough of Hackney Integrated Commissioning Sub- Committee Terms of Reference Amendment

RESOLVED

That approval be given to the amended terms of reference for the London Borough of Hackney Integrated Commissioning Sub-Committee.

REASONS FOR DECISION

The recommendation to amend the terms of reference will ensure that the Sub-Committee remains linked with the operation of the Integrated Commissioning Board and the NEL ICS in 2021 and 2022.

14. CE S015 The London Borough of Hackney Integrated Commissioning Sub- Committee Terms of Reference Amendment

RESOLVED:

- i) That approval be given to the granting of a a long lease of 299 years of the land outlined in red on the attached plan in appendix 1 of the report, known as Woodberry Down Plot 3;**
- ii) That approval be given to the Director of Legal and Governance to prepare and sign the necessary legal documentation and any ancillary documentation required in order to implement the grant of the lease of Woodberry Down Plot 3;**
- iii) That the Group Director of the Chief Executive's Directorate and the Group Director of Finance and Corporate Resources be authorised to negotiate the commercial terms relating to the proposed disposal of the leasehold interest known as Woodberry Down Plot 3;**
- iv) That the granting of long leases on phases 4-8 Woodberry Down (shown for reference in appendix 2 of the report) be authorised in consultation with the Mayor and subject to the Director of Strategic Property Services confirming prior to disposal of the remaining plots forming part of Phases 4-8 at Woodberry Down that each disposal was compliant with s123 of the Local Government Act 1972;**
- v) That the Group Director of the Chief Executive's Directorate and the**

Group Director of Finance and Corporate Resources be authorised to negotiate the commercial terms relating to the proposed disposal of lease interests for phases 4-8 Woodberry Down; and

- vi) That Director of Legal and Governance be authorised to prepare and sign the necessary legal documentation in relation to the grant of the leases on Phases 4-8 Woodberry Down.**

REASONS FOR DECISION

Authority is sought to dispose of the land outlined in red in the attached plan, known as Plot 3, in order to facilitate the regeneration of Woodberry Down. The land is to be transferred to Berkeley Homes on a long lease of 299 years, as set out in the Principal Development Agreement.

The Council is contractually obliged under the terms of the Principal Development Agreement to enter into this lease once certain conditions have been met, including having a Satisfactory Planning Permission, Vacant Possession, and an agreed Post-Planning Viability Test.

These conditions have now been met for Phase 3 and the partners are programmed to sign the Building Agreement by the end of September. The agreed form of the Lease will sit as an appendix to the Building Agreement, and will be largely in the form agreed under the Principal Development Agreement, which was approved by Cabinet on 25 January 2010.

Express authority is now sought from Cabinet to dispose of the land in Plot 3, in accordance with the Principal Development Agreement.

Delegated authority is also sought for disposal of the remaining plots (4-8) at Woodberry Down. The disposal of the future plots would be subject to the same triggers and conditions under the Principal Development Agreement, as set out above in relation to Plot 3. Disposal would also be subject to compliance with S123.