

LONDON BOROUGH OF HACKNEY COUNCIL

CABINET DECISION NOTICE - 13 DECEMBER 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:

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Last Date for Call-In:

21 December 2021

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6. Capital Update Report - Key Decision No. FCR R86

RESOLVED

- I. That the scheme for Children and Education as set out in section 9.2 be approved as follows:

Education Sufficiency and Estate Strategy: Resource and spend approval of **£400k in 2022/23** is requested to appoint a multi-disciplinary team to consider the options and costs to implement a plan for the Council's Education Sufficiency and Estate Strategy.

- II. That the S106 capital scheme summarised below and set out in section 9.3 be approved:

S106	2021/ 22 £'000	2022/23 £'000	Total
Capital	0	195	195
Total S106 Resource & Spend for Approval	0	195	195

- III. **That the S106 revenue summarised below and set out in section 9.4 be noted.**

S106	2021/22 £'000	2022/23 £'000	2023/24 £'000	Total
Revenue	40	40	40	120
Total S106 Resource & Spend for Approval	40	40	40	120

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.

7. **2020/21 Overall Financial Position, Property Disposals And Acquisitions Report - Key Decision No. FCR R85**

RESOLVED:

That the Cabinet:

- I. **Approved the budget proposals noted in 2.7 and detailed in Appendix 1 to contribute to meeting the estimated budget gaps for the 2022-23 and 2023-24 financial years.**
- II. **Noted the update on the overall financial position for October, covering the General Fund, Capital Finance and the HRA.**

REASONS FOR DECISION

To facilitate financial management and control of the Council's finances.

8. **Introduction of minimum period for pay and display parking - Key Decision No. NH S040**

RESOLVED:

That the Cabinet:

- I. Approved the introduction of a minimum short stay parking session of 1 hour.**
- II. Delegated the powers to the Head of Parking, Markets and Street Trading to authorise the variation of this minimum period to address local challenges or needs, going forward.**

REASONS FOR DECISION

Each year over 200,000 customers purchase over 1 million short stay parking sessions in Hackney, with 98% of them using the RingGo cashless parking service. Recent analysis of postcode data for these customers has found that:

- 89.6% of RingGo users in 2020/21 did not live in Hackney
- 90.5% of RingGo users in 2019/20 did not live in Hackney

At present, customers can purchase sessions for as little as 20p for 10 minutes, via a pay and display machine, or as little as 19p for 2 minutes using RingGo. 24% of sessions bought are for less than 1 hour.

As part of Hackney's long-standing commitment to discourage unnecessary journeys by car, it is proposed to introduce a minimum time that pay-and-display parking sessions can be bought for, either by pay-and-display machines, and the RingGo cashless parking sessions.

Our cashless parking provider (RingGo) have informed officers that 7 other boroughs using their system already have a minimum time in place:

- LB Tower Hamlets (30min)
- LB Hammersmith & Fulham (30min)
- LB Croydon (30min)
- LB Bexley (30min)
- LB Merton (20min)
- LB Camden (15mins)
- LB Haringey (15min).

The remainder of RingGo's London Boroughs offer lower time periods, with bookings by the minute available in Islington, Wandsworth, Richmond, Kingston, and 3 minute multiples in Brent.

This paper proposes a standardised minimum period of one hour, as this would ensure that across the vast majority of the borough the cost of paying to park (£2-£6 depending on location) would be more than the cost of the equivalent journey taken by public transport, which would discourage the use of cars for short journeys and incentivise more people to walk, cycle or use public transport.

It should also be noted that only the 1 hour option would set the minimum price

(£2) at a level that would exceed the fee for a one-way bus journey (£1.55) across the borough.

Officers anticipate that this change will decrease use of short stay parking, through a combination of:

- A reduction in short journeys made by car; and
- An increase in the number of drivers who may choose to park without a valid session, to avoid paying the increased fee.

We will mitigate payment avoidance through local changes to our Civil Enforcement Officer deployment where necessary, with increased patrols in areas where drivers choose to risk not paying for a parking session.

However, if enhanced enforcement does not prove to be successful, or there are particular local factors that warrant a different approach to be taken, it may be necessary to amend this standard time on a case by case basis. As such, this report seeks approval from Cabinet to authorise the Head of Parking, Markets and Street Trading to amend the minimum time for individual locations to address local circumstances.

9. Private Sector Housing Enforcement Policy - Key Decision No. NH S017

RESOLVED:

That the Cabinet:

- I. Approved the “*Enforcement Policy for Private Sector Housing*” as attached in Appendix 1.**
- II. Approved delegation to the relevant Strategic Director authority to make minor amendments to the Enforcement Policy for Private Sector Housing in consultation with the Mayor and relevant lead members.**

REASONS FOR DECISION

One of the Council’s key priorities is to ensure that housing conditions in the private rented sector (PRS) are safe and healthy for residents. There are around 34,000 homes in the PRS, making up around a third of all homes in Hackney. Within this figure an estimated 4,315 are Houses in Multiple Occupation (HMOs). Most landlords provide good standard accommodation for their tenants and manage their properties satisfactorily but this is not so in all cases. Our data indicates that a significant proportion of PRS homes ¹ contain Category 1 hazards or are in disrepair. (11% on average across the Borough; 20% for HMOs).

In order to tackle this significant proportion of unsatisfactory homes, the Council delivers a range of interventions, including responding to complaints from tenants of poor housing conditions and proactive action through its three property licensing schemes.

Most landlords respond positively to engagement with the Council and bring their properties up to standard without the need for enforcement action, but there are a minority that do not. For these landlords, the Council will use the full range of enforcement powers to secure improvements. Enforcement action underpins the work of the Private Sector Housing Team in securing good standards in the PRS, and is key to the success of the Council's three property licensing schemes and other interventions. Without effective

The wide range of enforcement powers relating to the PRS are derived from a multitude of Acts of Parliament and secondary regulations. Many of these have been introduced individually over many years and it can be difficult for landlords to be clear on what powers can be applied to them. Tenants may not be aware of their rights and available recourse to remedying poor housing conditions and management.

Under Article 13 of the Council's Constitution , when taking enforcement ² action the Council must have due regard to proportionality, openness and respect for human rights. Furthermore, it must ensure any enforcement action is taken in compliance with the Regulators Code . The Legislative and ³ Regulatory Reform Act 2006 requires regulators to have regard to the code when developing policies and operational procedures that guide their regulatory activities. To that end, this Private Sector Housing Enforcement Policy seeks to ensure that the application of any enforcement is:

- Proportionate: reflecting the level of risk to the public; enforcement action taken will relate to the seriousness of the offence.
- Consistent: we will take a similar approach in similar circumstances to achieve similar results. This does not mean uniformity.
- Targeted: enforcement action will be aimed primarily at situations that give rise to risks and in respect of the worst housing conditions. Action will be focused on those responsible for the risk and those who are best placed to control it.
- Transparent: we will ensure that landlords and agents are able to understand what is expected of them and what they can expect from us in return. The differences between statutory requirements and advice or guidance will be made clear.
- Accountable: activities will be open to public scrutiny with clear and accessible policies and fair and efficient complaint procedures.
- Robust: through enforcement we will provide an effective deterrent against offending and ensure that those who flout the law are not able to profit from their wrongdoing, or undercut good landlords who have to compete in the same market. The Regulators Code also sets out six principles of enforcement

i) Regulators should carry out their activities in a way that supports those they

regulate to comply and grow.

- ii) Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
- iii) Regulators should base regulatory activities on risk.
- iv) Regulators should share information about compliance and risk.
- v) Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
- vi) Regulators should ensure that their approach to their regulatory activities is transparent.

This enforcement policy sets out these principles. It provides guidance to enforcement officers and provides transparency for landlords and tenants. It aims to ensure that enforcement action is always taken in a proportionate, fair and non-discriminatory manner.

10. Any Other Unrestricted Business the Chair Considers To Be Urgent

There were none.

11. Dates Of Future Meetings

Meetings of the Cabinet for the remainder of the municipal year 2021/22:

24 January 2022
21 February 2022
14 March 2022
25 April 2022

