



DRAFT UNRESTRICTED MINUTES OF A MEETING OF THE CABINET

MONDAY, 13TH DECEMBER 2021

Chair	Cllr Anntoinette Bramble, Deputy Mayor (Statutory) and Cabinet Member for Education, Young People and Children's Social Care
Councillors Present:	Cllr Robert Chapman, Cabinet Member for Finance; Cllr Mete Coban, Cabinet Member for Energy, Waste, Transport and Public Realm; Cllr Chris Kennedy, Cabinet Member for Health, Adult Social Care and Leisure; Cllr Guy Nicholson, Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy;
	<u>Virtually Present</u> Mayor Phillip Glanville Cllr Sade Etti, Mayoral Adviser for Homelessness, Housing Needs and Rough Sleeping; Cllr Yvonne Maxwell, Mayoral Adviser for Older People; Cllr Clayeon McKenzie, Cabinet Member for Housing Services; Cllr Sem Moema, Mayoral Adviser for Private renting and housing affordability; Cllr Carole Williams, Cabinet Member for Employment, Skills & Human Resources; Cllr Caroline Woodley, Families, Early Years Parks, Play
Apologies	Cllr Susan Fajana Thomas, Cabinet Member for Community Safety
Officers in Attendance	Ajman Ali, Group Director, Neighbourhoods and Housing Mark Carroll, Chief Executive Dawn Carter-Mcdonald, Director of Legal and Governance Services Jessica Feeney, Governance Services Officer Andrew Spragg, Governance Services Team Leader Ian Williams, Group Director of Finance and Corporate Resources Helen Woodland, Group Director Adults, Health and Integration

The meeting was live-streamed here: <https://youtu.be/958MyJNmNpc>

1. Apologies for Absence

There were apologies for absence from Councillor Mckenzie.

2. Urgent Business

There were no items of urgent business.

3. Declarations of Interest - Members to declare as appropriate

There were no declarations of Interest.

4. Notice of intention to conduct business in private, any representation received and the response to any such representations

There were no representations received.

5. To consider any deputations, questions or petitions referred to the Cabinet by the Council's Monitoring Officer

5.1 The deputation spokesperson was unable to attend the meeting, therefore the written response below was provided.

5.2 Review of the Edmonton Incinerator Deputation

The deputation proposed that the Council's representatives to the North London Waste Authority vote to pause and review the construction of the new, larger rebuild of the Edmonton Incinerator.

Dr Rembrandt Koppelaar was unable to attend the meeting, therefore a written response was requested as is set out below.

Dear Dr Koppelaar

I am sorry you were unable to attend the Cabinet meeting on Monday evening, as I know this was an important opportunity for you and the campaigns you represent to raise your concerns, and as a Cabinet we were all keen to hear your views regarding NLWA's new energy from waste facility in Edmonton. I want to thank you for your written submission and acknowledge your knowledge and expertise in this area. I hope that you were able to resolve the issues you faced on Monday night and, as requested, I am now responding in writing on behalf of the Cabinet and myself. This response will also be placed in the Cabinet minutes.

I am sure we would have gone into more detail at Cabinet, but I am pleased to have this opportunity to set out here the background and advantages to the

project, and to share with you the important progress we have made in Hackney on both increasing recycling and responding to the climate emergency.

As you know the existing 50 year old facility in Edmonton is now in need of replacing - and because as we are still producing and throwing away rubbish, we need to make a decision and agree a plan to deal with it. The seven boroughs who make up the North London Waste Authority [looked at all the options](#), over many years, available to them to deal with non-recyclable rubbish, and it was clear that the most environmentally responsible and cost effective solution is to build a [new energy from waste plant](#). Sending our rubbish to other facilities is not an option because it would cost more to use private companies and wouldn't meet the Mayor of London's target to treat all of London's waste within London.

Many have come to us with what seems like a simple and easy ask, to simply pause and review. Superficially it is an obvious choice, but, I think failing to act now would literally and figuratively kick the can further down the road, causing additional environmental and financial harm as well as removing certainty about our approach. Pausing, reviewing, and retendering would lead to a delay of at least three years, three years where the life of the current plant and its reliability is severely questioned and open Hackney and the other boroughs to significant increases in costs. It would also create uncertainty in the market and given all the other challenges we face around procurement and inflation make any future solution and process that much harder to procure, I firmly believe we have also been elected collectively as an administration to make the difficult decisions and that in the short term these are not always popular.

There's a simple choice when it comes to rubbish - we either put it in landfill, where it produces methane, one of the most potent climate changing gases, or we use it to generate electricity, which is what we've done in north London for the past 50 years. This process - known as energy recovery - has diverted 21 million tonnes of rubbish from landfill since 1971.

I am sure you have seen some of these arguments before, but I would like to share with you here some of the rationale to help better explain the decision:

1. We have an urgent need to reduce waste, recycle more and end landfilling, which causes the vast majority of emissions from UK waste.
2. Even when we waste less and recycle more, there is still rubbish which needs to be dealt with. Instead of putting it in landfill, we use it to generate electricity at a plant in Edmonton.
3. It will be able to power up to 127,000 homes, and provide heat to a district network that will supply heat and hot water for up to 50,000 homes and businesses. It will also be more efficient and have a lower carbon impact than heat pumps or similar energy sources.
4. It will save 215,000 tonnes of CO2 every year compared to landfill. That's like taking 110,000 cars off the road.
5. It will use some of the most advanced technology in the world to capture emissions and remove pollutants so there will be no harm to public health.
6. The project is also accelerating its plans for carbon capture and storage, which could see the facility taking carbon out of the atmosphere in the future.

7. Some people think that we should not build a replacement, but the alternatives are worse for the environment and in the long term would cost Hackney council tax payers a lot more and also see an out of date plant continuing to operate in Enfield breaking a promise made to local residents.
8. North London Waste Authority Members have specified emissions requirements more rigorous than any other operational facility in the UK and exceed current regulations.
9. Twenty energy from waste plants have been given permission since Edmonton, and not one of them uses the same world-leading technology. By using rubbish as a resource for society to generate energy and heat for thousands of homes and businesses, it supports the UK's shift away from gas and coal and is a key part of [our Hackney plan](#) to reach net zero.
10. These plans have already been through a long and democratic governance process as well as a detailed planning application and independent inquiry.

COP26, which I attended just a few weeks ago, has reinforced the urgent need to reduce waste, recycle more and end or deeply reduce the use of landfill, which causes the vast majority of emissions from UK waste. Hackney residents have made great strides in the amount they recycle - [with more than 30% of waste in the borough now recycled](#), up from 1% in 1998. Your 'letter' to Cabinet opens with a very clear sense of the need to do more on recycling and a more circular economy, and that is exactly what we have been doing as a borough in recent years, and I dispute that there is a lack of ambition in Hackney or the NLWA.

We are working hard to encourage people to recycle more and [reduce the amount they throw away](#). We want Hackney residents to recycle more and contribute to a north London wide target of recycling 50% by 2030, which will help us reduce emissions, and reduce our costs, as we are charged more to process rubbish than recycling. We are also excited about the further opportunities in the Environment Act with its focus on reverse vending and extended producer responsibility. As part of the work of the Local Government Association I have twice given evidence on this topic to Parliamentary committees.

However, in Hackney most people live in flats with communal recycling facilities and don't have gardens, so recycling rates are lower than in more suburban areas. However, that doesn't mean we haven't continued to seek higher levels of recycling and most recently it is why even in a challenging time for Hackney and local government we introduced fortnightly black bin waste collection on our residential streets, which has in less than a year decreased residual waste and increased our recycling rate. It is also why we set up our own estates recycling programme, but even with all this work it still means that we expect to be dealing with rubbish beyond our net zero target of 2040, so we work with [six other London boroughs](#) to plan how we increase recycling, reduce waste, and deal with excess rubbish in the future. At a London Councils level as Chair of the Transport and Environment Committee, I help lead our climate change programmes, which includes one on consumption based emissions led by Harrow, but working in partnership across the city. It has been framed around

‘One World Living’ and alongside Re:London, Hackney is leading the work on reducing food waste and its carbon impact.

The planning and preparation for this decision has been going on for several years, and as you know, today councillors from the seven boroughs are at the end of a long process assessing the bid to build the replacement and deciding whether to award the contract. The replacement facility will be able to power up to 127,000 homes, and provide heat to a district network that will supply heat and hot water for up to 50,000 homes and businesses, all while saving 215,000 tonnes of CO₂ every year compared to landfill. That’s like taking 110,000 cars off the road. In Edmonton, the new facility will use new, advanced technology to capture NO_x emissions, and around half the equipment will be dedicated to cleaning emissions. Public Health England, backed up by research from Imperial College London, says “modern, well run and regulated municipal waste incinerators... make only a very small contribution to local concentrations of air pollutants.”

Just last month, David Attenborough’s [Earthshot Prize film](#) visited Copenhill, on which the new Edmonton facility is based, showing how energy can be generated from waste, with harmful pollutants filtered out of the process, leaving mostly water vapour as a byproduct.

The project is also accelerating its plans for carbon capture and storage, which could see the facility taking carbon out of the atmosphere in the future. I know that Hackney and our representatives on the NLWA are passionate about this work and they are also keen to address your point about improving the sorting and recycling elements of the new EcoPark.

One of the alternative areas that people, and I believe Sustainable Hackney, are asking us to look again at is to pre-treat or pre-sort black sack waste to extract recyclates. However, waste management experts working in this country are generally not seeking to develop such facilities, and many that have been commissioned have been costly and not operable at the scale we require in North London.

Mechanical Biological Treatment (MBT) is one such technology that has been mooted, and a number of MBT facilities were built in the early years of this century. In many cases the projects failed as the technology didn’t work or the performance levels didn’t meet the required levels.

Those that are still operational are unlikely to be used beyond their initial contract periods. Also, so far these facilities are not circular economy solutions as their outputs are often low grade and can’t find a market beyond possibly very low grade uses. I appreciate you partially dispute this in your financial analysis, but this is what I am advised is the current position.

Our neighbours in the East London Waste Authority have an MBT contract, and with it they have the highest per household levy costs in London and the benefit in terms of contribution to their recycling rates is fairly modest. It has been well publicised that the East London Boroughs have not been able to adopt the food waste collections that Hackney residents have had for many years because of this choice of technology.

The NLWA earlier in this process did consider black bag sorting prior to the Development Consent Order for its energy from waste facility, but the results

showed that it was uneconomical, due to the low yield and poor quality which could be sent for reprocessing.

We all want to live in a world where we produce very little waste, and we're doing everything we can to achieve that and rebuild a greener Hackney with a sustainable circular economy at its core.. The Government must also step up, and ensure producers [pay the price](#) for the plastic and all packaging that they produce.

In the meantime, we have no choice but to plan for north London's waste. Some people think that we should not build a replacement, but the alternatives are worse for the environment, especially in Edmonton, and in the long term would cost Hackney council tax payers a lot more. We have also been clear that we won't be leaving your waste in the hands of private waste disposal companies but dealing with it in a publicly owned facility which will be the cleanest in Europe, generating heat and power for thousands of homes, with the profit or dividend being invested in the facility or public sector There is also a clear ambition as we set up a Hackney Commercial waste company to both improve recycling and ensure that our waste expertise can shape the commercial market and also make use of the new facility.

The agreed financing strategy also takes into account the significant amounts of energy income that will be used to help offset the cost of the project. Most importantly, however, the levy and charging system through which the NLWA recovers processing costs from the boroughs it services is based on a 'menu pricing' system. This means that Hackney would pay the majority of its costs based on differential per tonne rates, based on the tonnages of different types of waste it requires to be processed at the new facility. In practice, as Hackney strives to become greener and hit its net zero target, the less waste processing costs it will incur going forward.

Twenty energy from waste plants have been given permission since Edmonton, and not one of them uses the same world-leading technology. By using rubbish as a resource for society to generate energy and heat for thousands of homes and businesses it supports the UK's shift away from gas and coal and is a key part of our plan to reach net zero.

I want to emphasise that throughout this process we have been listening to campaigners such as yourself and the organisations you represent, others who care deeply about this issue including local MPs and councillors, and that through this process that the plans have improved and I know that our representatives on the NLWA are committed to further work to improve this project if and when it moves into a delivery phase after today. As I have also outlined we are committed in Hackney to continuing to rebuild a greener borough with reduced consumption, lower residual waste, higher levels of recycling - creating a more circular and sustainable local economy with the economic and community benefits that will accrue to the Council and our residents, businesses and communities.

I would like to emphasise again that the new proposed energy from waste plant has been subject to vigorous independent scrutiny over the years. I hope this reply provides some background to the project, and of course works to alleviate some of your concerns. I also recognise that this important issue is before the

NLWA Board later today, and like you I will be awaiting their final decision, and recognise that even after it is made, this debate and dialogue will continue.

Yours sincerely

Philip Glanville
Mayor of Hackney

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

6.1 Mayor Glanville introduced the report to Cabinet and highlighted the on-going investments.

6.2 Deputy Mayor Nicholson discussed the proposal for the sustainable transport planner to be brought forward and drew reference to the work carried out by Councillor Mete Coban. The Cabinet welcomed the investments..

RESOLVED

- I. **That the scheme for Children and Education as set out in section 9.2 of the report 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

- 7.1 Councillor Chapman outlined the report highlighting that there had been a slight improvement compared to the last reported provision in September. The Cabinet was provided with details for the budget next year, it was explained that there would be no new resources for the next financial year..

RESOLVED:

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

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

- 8.1 Councillor Coban introduced the report to Cabinet, the report recommended the introduction of a minimum short stay parking session of 1 hour.
- 8.2 Deputy Mayor Nicholson commended the report.

RESOLVED:

- I. **That the introduction of a minimum short stay parking session of 1 hour be approved.**
- II. **That the Head of Parking, Markets and Street Trading be given delegated authority to approve 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

9.1 Mayor Glanville introduced the report.

9.2 Councillor Moema reiterated her thanks to Kevin Thompson and his team for the work that they had done.

RESOLVED:

- I. **That the “Enforcement Policy for Private Sector Housing” as attached in Appendix 1 be approved.**
- II. **That delegated authority be granted to the relevant Strategic Director 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.

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

There was no other unrestricted business to be considered.

15. 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

End of Meeting

Duration of the meeting: 18:00 – 18:30

Contact:

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