

MINUTES OF A MEETING OF THE CABINET

MONDAY 30 MAY 2022

Councillors Present: Mayor Philip Glanville in the Chair

Cllr Anntoinette Bramble, Deputy Mayor (Statutory) and Cabinet Member for Education, Young People and Children's Social Care;

Cllr Robert Chapman, Cabinet Member for Finance;

Cllr Mete Coban, Cabinet Member for Energy, Waste, Transport and Public Realm;

Cllr Sade Etti, Mayoral Adviser for Homelessness, Housing Needs and Rough Sleeping;

Cllr Susan Fajana Thomas, Cabinet Member for Community Safety;

Cllr Chris Kennedy, Cabinet Member for Health, Adult Social Care and Leisure;

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 Guy Nicholson, Deputy Mayor and Cabinet Member for Housing Supply, Planning, Culture and Inclusive Economy;

Cllr Caroline Woodley, Cabinet Member for Families, Early Years Parks and Play.

Cllr Carole Williams, Cabinet Member for Employment, Skills & Human Resources.

Officers in Attendance: Jackie Moylan, Director, Financial Management
Josephine Sterakides, Senior Lawyer-General Litigation
Jessica Feeney, Governance Services Officer

1 Apologies for Absence

There were no apologies for absence.

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 representations received and the response to any such representations

There was none.

5 Questions/Deputations

There was none.

6 Unrestricted minutes of the previous meeting of Cabinet held on 25 April 2022

RESOLED:

That the Cabinet agreed to the Minutes of the Cabinet held on the 25 April 2022.

7 Capital Update and Property Disposals And Acquisitions Report - Key Decision No. FCR S080

The Mayor introduced the report to the Cabinet.

RESOLVED:

I. That the S106 capital schemes as set out in section 10.1 and summarised below be approved as follows:

S106	2022/23 £'000
Capital	510
Total s106 Capital for Approval	510

II. That the S106 revenue scheme as set out in section 10.2 and summarised below be approved as follows:

S106	2022/23 £'000
Revenue	90
Total Revenue S106 for Approval	90

III. That the S106 capital schemes as set out in section 10.3 and summarised below be noted as follows:

S106	2022/23 £'000
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Capital	78
Total Capital S106 for Noting	78

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.

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

8 Adventure Playgrounds New Leases - Key Decision No. FCR S107

The Mayor introduced the report to the Cabinet.

RESOLVED:

That the Cabinet:

- I. Approve the disposal of the five 10 year leases, subject to a break and a rent review at the end of the 5th year, at an initial rent of £2,500.00 p.a. in each of the properties known as: Springfield Adventure Playground, Spring Lane, London E5 9HQ, Shakespeare Walk Adventure Playground, 69 Shakespeare Walk, N16 8TB, Pearson Street Adventure Playground, 28 Pearson Street, E2 8JD, Evergreen Adventure Playground, Beehive Close, E8 3JT, Homerton Adventure Playground, Wardle Street, E9 6BX
- II. Delegated to the Group Director of Finance and Corporate Resources and the Director of Strategic Property Services authority to determine the most cost effective options in terms of disposing the leases in ways that represent best value on the part of the Council.
- III. Delegated authority to the Director of Legal Services to negotiate, sign, settle and complete the contracts and all other relevant and ancillary legal documents arising thereto on behalf of the Council.

REASONS FOR DECISION

The initial leases for the five playgrounds expired at various times during 2020 and 2021. In order to have regularity and equality with all the playgrounds they have been provided with short term leases all on the same terms to run until the 25th September 2022. As the organisations running the playgrounds have charitable status they rely on raising grants to fund their operations and most grant aided money requires the recipient to have a 10 year lease.

Early Help and Prevention Service and Disabled Children's Service have confirmed that the four operators have all been working efficiently and would be content to see

the AP continue to provide services for children and young people out of school hours. However, new service contracts to deliver open access play are to be tendered with providers to commence in September 2022.

The properties shown edged in red in Appendix 1, the subject of the leases, will be used by the successful lessees to provide play services and support for children and young people, particularly out of school hours.

9 Wick Woodland, Hackney Marshes and the surrounding areas Public Spaces Protection Order - Key Decision No. NH S106

Councillor Fajana-Thomas introduced the report to Cabinet.

RESOLVED:

That Cabinet approved undertaking a consultation exercise in relation to the making of a Public Spaces Protection Order which would place controls on ASB caused by groups of people gathering, bringing generators, lighting, sound systems and decorations in Wick Woodland, Hackney Marshes and surrounding areas, often consuming alcohol and other substances and 'partying' till the early hours. These acts cause nuisance and damage to the proposed prescribed areas. A copy of the proposed Order is attached to the report as Appendix 1.

REASONS FOR DECISION

A PSPO is a tool to ensure the law-abiding majority can use and enjoy public spaces safe from activities which have a detrimental effect on the quality of their life in that area. The proposed PSPO should ensure that Hackney has an effective response to ASB in the areas covered by the PSPO.

PSPOs are intended to be used to deal with a particular nuisance or problem in an area that is detrimental to the local community's quality of life by putting in place conditions on the use of that area that apply to everyone. They are designed to ensure people can use and enjoy public spaces safe from activities which have the requisite detrimental impact.

Councils can make a PSPO after consultation with the Police and other relevant bodies and communities. The legislation sets out a two-pronged test of which a Local Authority has to be satisfied on reasonable grounds before a PSPO can be made. These conditions are as follows:

That the activities carried out in a public place have had a detrimental effect on the quality of life of those in the locality; or that it is likely that they will have such an effect.

That the effect or the likely effect of the activities:

Is (or is likely to be) persistent or continuous.

Is (or is likely to be) unreasonable.

Justifies the restriction imposed by the notice.

A PSPO must identify the public place in question and can:

- (a) prohibit specified things being done in that public place

- (b) require specified things to be done by persons carrying on specified activities in that place; or
- (c) do both of those things.

The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order to prevent or reduce the risk of the detrimental effect continuing, occurring or recurring. Prohibitions may apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories. The PSPO may specify the times at which it applies and the circumstances in which it applies or does not apply. Unless extended, the PSPO may not have effect for more than 3 years.

Breach of a PSPO without reasonable excuse is a criminal offence. The Police or a person authorised by the Council can issue fixed penalty notices, the amount of which may not be more than £100. A person can also be prosecuted for breach of a PSPO and on conviction the Magistrates' Court can impose a fine not exceeding level 3 on the standard scale (currently £1000).

In deciding to make a PSPO the Council must have particular regard to Article 10 (Right of Freedom of Expression) and Article 11 (Right of Freedom of Assembly) of the European Convention on Human Rights ('ECHR'). The Council must also carry out the necessary prior consultation, notification and publicity as prescribed by s.72 of the 2014 Act. In preparing this report Officers have had regard to the statutory guidance issued by the Home Office and the Guidance on PSPOs issued by the Local Government Association.

10 Appointments to Outside Bodies

The Mayor introduced the report to Cabinet.

RESOLVED:

That the Cabinet:

- I. Agreed the appointment of the Councillors to Outside Bodies on behalf of the Council as listed in Appendix 1.
- II. Noted the appointments made by the Mayor to Outside Bodies on behalf of the Council as listed in Appendix 1.

11 New items of unrestricted urgent business

There were none.

12 Exclusion of the press and public

There was no requirement for the public and press to be excluded.

13 New items of exempt urgent business

There were none.

Monday 30 May 2022

Duration of the meeting: 5.45pm – 6.10pm