

LONDON BOROUGH OF HACKNEY COUNCIL

CABINET DECISION NOTICE - Wednesday 17 March 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 Law 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:

25 March 2021

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6. **To consider the unrestricted Minutes of the Previous Meeting of Cabinet meeting held on 22 February 2021**

RESOLVED:

That the Minutes of the unrestricted Cabinet meeting on the 22 February 2021 was approved.

7. **2021/22 Overall Financial Position, Property Disposals and Acquisitions Report Which Takes Account of the Estimated Financial Impact of Covid19 and the On-going Emergency - Key Decision No. FCR R46**

RESOLVED:

That the Cabinet :

- A. **Noted the update on the overall financial position for January, covering the General Fund and the HRA.**

- B. Approved the granting by the Council to N Family Club Holdings, or its wholly owned subsidiary company, of a lease of 25 years for the property known as Lee House, 6 to 6a Rectory Road N16.**
- C. Authorised the Group Director of Finance and Resources and the Director of Strategic Property Services to finalise any outstanding issues in connection with the completion of the lease to agree the final commercial terms subject to the terms meeting with best value considerations.**
- D. Authorised the Director of Legal & Governance to agree, negotiate, settle, sign and complete the final form of the lease and enter into it on behalf of the Council together with any ancillary documentation relating to the transaction.**

Reasons For Decision

To facilitate financial management and control of the Council's finances and approve the property proposal noted in 2.15 and 2.16

8. Capital Update Report - Key Decision No. FCR R45

RESOLVED

- A. That the schemes for Chief Executive's as set out in section 9.2 were approved as follows:
Adult Learning Equipment: Resource and spend approval of £113k in 2020/21 is requested to purchase laptops to support online learning and a safer return to onsite learning.**
- B. That the schemes for Finance and Corporate Resources as set out in section 9.2 were approved as follows:

'Find Support Services' Digital Directory: Resource and spend approval of £130k in 2020/21 is requested to develop the digital directory service to signpost and refer residents to a range of voluntary community services, non-statutory and statutory provision.

Financial Management System e5 Upgrade: Spend approval of £100k in 2020/21 is requested to complete a major systems upgrade to the Council's main Financial Management System Cedar/e5.**

- C. That the S106 schemes as set out in section 9.4 and summarised below were noted as follows:**

S106	2021/22 £'000
Capital	172
Total S106 Resource and Spend for Noting	172

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.

9. Licensing Policy For Private Rented Housing - Key Decision No. NH R52

RESOLVED:

That the Cabinet

- A. Approved the "Licensing Policy For Private Rented Housing" as attached in Appendix 1,**
- B. Approved delegation to the Strategic Director, Inclusive Economy, Policy and New Homes, in order to make minor amendments to the Licensing Policy for Private Rented Housing.**

Reasons For Decision

The Council operates three licensing schemes in respect of dwellings in the private rented sector (See section 5 below).

The legal framework within which the schemes operate is complex and nuanced and is different for each of the three schemes. Licensing processes are prescribed in law and must be followed. The penalties to landlords and managing agents for non-compliance can be severe. This environment can

be difficult for landlords to navigate and to understand.

The authority to exercise the licensing powers under the Housing Act 2004, and regulations made thereunder, has been granted by Cabinet in three separate reports supplemented by Delegated Powers Reports as appropriate.

In order to improve access to information for landlords, managing agents and the general public there is a need to consolidate the information on licensing powers and processes into one concise document, in plain language and in a step by step manner. Doing so will allow the Council to promote the licensing schemes in a clear way and improve understanding of the schemes by landlords, managing agents and residents. This, in turn, backed up with clear communications and strong enforcement action is intended to bring properties that have not yet been licensed on board, with the overall objective of improving housing conditions and housing management in the private rented sector.

10. The Lease Of 5 Hostels For Rough Sleeper Move On And General Needs Temporary Accommodation - Key Decision No. FCR R56

RESOLVED:

That the Cabinet:

- A. Gave delegated authority to the Group Director of Finance and Corporate Resources to sign the Memorandum of Understanding with the Ministry of Housing, Communities and Local Government to access the Rough Sleeping Accommodation Programme Capital and Support Funding stream.**
- B. Gave delegated authority to the Director of Strategic Property Services, in consultation with the Group Director of Finance and Corporate Resources, to negotiate final terms, of the lease and the expenditure of the Ministry of Housing, Communities and Local Government; Rough Sleeping Initiative award of £500,000 of capital to support the delivery of the project**
- C. Authorised the Director of Legal and Governance Services to prepare, agree, settle and sign the necessary legal documentation to effect the proposals contained in this report and to enter into any other ancillary legal documentation as required.**

Reasons For Decision

As outlined within the report, there is a significant need to expand the stock of social housing in Hackney, particularly for the provision of temporary accommodation.

As set out within Part 7 of the Housing Act 1996, the Council has a statutory

duty to provide interim temporary accommodation to homeless households to whom it has a duty to provide permanent housing.

Currently, meeting this statutory duty requires using expensive nightly let and/or spot purchased accommodation.

The acquisition of the leases provides a hostel refurbished to meet the requirements of formerly homeless residents with high care needs. Support will be commissioned by Adults and Health to support these vulnerable residents in a Temporary Accommodation setting. As part of the Rough Sleeper Accommodation Programme, funding of £1,719,120 is to be provided for the costs of support to 2025.

11. Establishing an Environmental Services Trading Company - Key Decision No. NH P54

RESOLVED:

That the Cabinet

- A. Authorised the creation of a wholly owned Local Authority Trading Company for Environmental Services.**
- B. Delegated authority to the Group Director of Neighbourhoods and Housing and the Director of Legal and Governance in consultation with the Group Director Finance and Corporate Resources to register the trading company under the suitable form of legal entity, including the appointment of suitable representatives to act as the officers (Director(s), Secretary as appropriate) of such company.**
- C. Develop and submit for registration the intellectual property rights in the trademarks and branding for the services to be delivered through the company**
- D. Approved that the Group Director of Finance and Corporate Resources will act as the intelligent shareholder on behalf of the Council in paragraphs 10.2 - 10.2.**
- E. Delegated authority to the Director of Legal and Governance to approve the Memorandum of Association and Articles of Association for the company after consultation with the Group Director Finance and Corporate Resources.**
- F. Authorised the Group Director of Finance and Corporate Resources to grant a flexible loan facility of up to £500,000 at market rates to be released in line with the company's business plan and cash flow.**
- G. Authorised the Council to enter into all required contractual, legal and financial documentation with the company to formalise each parties' responsibilities to each other with regard to the matters in this report.**
- H. Approved the trading company business plan attached at**

exempt Appendix 1.

Reasons For Decision

Environmental Services has some of the most experienced managers in the municipal waste sector and Environmental Operations already provides commercial waste services to 3,700 businesses in Hackney with an annual turnover of £6.3 million. The service area is vastly experienced in selling commercial contracts, setting up and delivering the collections and has established procedures and systems for invoicing its customers.

The service area has previous experience of delivering services to a commercial sector, growing the Council's commercial waste portfolio to over 50% of businesses within the borough's boundaries. Our previous experience in delivering commercial waste services, along with the added benefit of already having the infrastructure, management and back office staff available, makes it highly likely that the venture will succeed and a profitable business will be created for the Council.

The specific reasons for the proposal are:

- To build a commercial waste company that becomes a financial asset to the Council, growing in value as the turnover and customer base increases year on year.
- To return an annual dividend to the Council through building a profitable commercial waste business from the commercial waste sales opportunities that exist in East London.
- To deliver a sustainable commercial waste service that offers customers a range of recycling options, giving us a significant commercial advantage over businesses that show no signs of taking advantage of the opportunities that exist.
- To demonstrate that Hackney has the capability to deliver successful commercial services in areas where there has previously been limited competition.
- To ensure that Hackney gets maximum benefit from the expertise that exists within the Environmental Services team, specifically commercial sales, waste collection, and financial management knowledge and experience.
- To earn an income from sharing infrastructure, fleet and overhead costs, such as the Millfields Depot, refuse collection fleet vehicles and management costs, thereby contributing to the Council's budget strategy.

12. Public Space Protection Order In Relation To Dog Control - Key Decision No. NH R32

RESOLVED:

That Cabinet approved the making of a Public Spaces Protection Order in relation to dog control under Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 and the prohibitions and requirements in the proposed Order in this report for a period of three years.

Reasons For Decision

A PSPO is a tool, implemented under the Anti-Social Behaviour, Crime and Policing Act 2014 to ensure the law abiding majority can use and enjoy public spaces safe from anti-social behaviour. The proposed PSPO will be introduced to ensure that Hackney has an effective response to issues relating to dog control (including dog fouling), excluding dogs from children's play areas and sports areas, keeping a dog on a lead in specified areas and ensuring that dogs are under control.

13. Mental Health S75 Agreement Key Decision No. CACH R55

RESOLVED:

Cabinet authorised the Group Director for Adult Services to continue the arrangements currently in place through entering into a further s75 agreement with ELFT for the continued delivery of an integrated mental health service in the Borough. The agreement will operate for a five year period from 1 April 2021 to 31 March 2026.

Reasons For Decision

There are two main reasons for the decision sought in this report:

The existing agreement is now out of date and it also requires updating to reflect changes within the services.

14. General Exception - Public Space Protection Order In Relations To The Consumption Of Alcohol In A Public Place

RESOLVED:

That Cabinet approved undertaking consultation in relation to the making of a borough wide Public Spaces Protection Order which would place controls on alcohol related ASB and which would include a ban prohibiting the consumption of alcohol in London

Fields Park. The order would be made under Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 and would last for a period of three years. A copy of the proposed Order is attached to this 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 associated with the consumption of alcohol in any public place in the Borough of Hackney, together with a ban on the consumption of alcohol in London Fields. The ban on consumption in London Fields is proposed because it is believed that many of the activities which have been identified as anti-social or otherwise having a detrimental impact on the quality of life of those in the locality are connected to the consumption of alcohol; there appears to be a particular problem with this in the London Fields area.

15. Appointments to Outside Bodies

There were no appointments to outside bodies.

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

There were none.

17. Dates Of Future Meetings - Meetings of the Cabinet commencing at 6.00pm for the remainder of the Municipal Year 2020/21 as follows:

The dates for future meetings were noted

18. Exclusion Of The Public & Press

The Cabinet did not wish to discuss the exempt appendix therefore the Cabinet did not move into an exempt session.

19. 2021/22 Overall Financial Position, Property Disposals and Acquisitions Report Which Takes Account of the Estimated Financial Impact of Covid19 and the On-going Emergency - Key Decision No. FCR R46

The exempt appendix in relation to Item 7 was noted.

- 20. The Lease Of 5 Hostels For Rough Sleeper Move On And General Needs Temporary Accommodation - Key Decision No. FCR R56**

The exempt appendix in relation to Item 10 was noted.

- 21. Establishing an Environmental Services Trading Company - Key Decision No. NH P54**

The exempt appendix in relation to Item 11 was noted.

- 22. Any other exempt business the Chair considers to be urgent.**

There was none.