

**DRAFT MINUTES OF A MEETING OF THE CABINET
MONDAY, 26 FEBRUARY 2024**

THE COUNCIL CHAMBER, HACKNEY TOWN HALL,
MARE STREET, LONDON, E8 1EA

- Councillors Present: **Mayor Caroline Woodley in the Chair**
- Deputy Mayor Anntoinette Bramble (Vice-Chair) (Part), Cllr Robert Chapman, Cllr Mete Coban (Part), Cllr Susan Fajana-Thomas, Cllr Christopher Kennedy, Cllr Guy Nicholson, Cllr Carole Williams, and Cllr Sade Etti**
- Apologies: **Cllr Clayeon McKenzie and Cllr Sem Moema**
- Officers in Attendance: **Mark Agnew, Governance Officer
Juliet Babb, Acting Head of Legal and Governance
Dawn Carter-McDonald, Interim Chief Executive
Louise Humphreys, Acting Director of Legal, Democratic & Electoral Services
Sonia Khan, Assistant Director, Policy and Strategic Delivery
Georgia Lazari, Acting Assistant Director of Legal and Governance
Gerry McCarthy, Head of Community Safety, Enforcement & Business Regulation
Tessa Mitchell, Team Leader, Governance Services
Jackie Moylan, Interim Group Director, Finance
Josephine Sterakides, Senior Lawyer, General Litigation and Public Realm
Geeta Subramaniam-Mooney, Director Environment and Climate Change**

1 Apologies for Absence

- 1.1 Apologies were received from Cllr McKenzie and Cllr Moema, and apologies for lateness were received from Cllr Coban.

2 Declarations of Interest

- 2.1 There were no declarations of interest.

3 Urgent Unrestricted Business

- 3.1 There was no urgent business for consideration.

4 Notice of Intention to Conduct Business in Private, Any Representations Received and the Response to Such Representations

4.1 No representations were received.

5 Questions/Deputations

5.1 No questions or deputations were received and approved.

Deputy Mayor Bramble joined the meeting.

6 Unrestricted Minutes of the Previous Meeting of Cabinet

RESOLVED: That the minutes of the previous meeting of the Cabinet held on 22 January 2024 be agreed as a true and accurate record of proceedings.

7 Unrestricted Minutes of the Cabinet Procurement and Insourcing Committee

RESOLVED: To note the minutes of the Cabinet Procurement and Insourcing Committee (CPIC) held on 8 January 2024.

8 F S215 2023/24 Overall Financial Position Report - December 2023

8.1 Mayor Caroline Woodley thanked officers for progressing this important piece of work, as without the ability to understand Hackney's financial position the Council would be unable to deliver the services which residents expected. The Mayor committed to continue to address financial challenges to ensure long term financial sustainability.

8.2 Cllr Robert Chapman, Cabinet Member for Finance, Insourcing and Customer Service, introduced the report and highlighted the increase in the underlying overspend to £11.76m, the one-off sum of £3m received from the application of the 2023/24 estimated localised business rates pool surplus, and the acceptance of £1.36m from the Local Electric Vehicle Infrastructure (LEVI) Fund, which would enable the Council to provide some of the proposed 600 charge points throughout the Borough.

RESOLVED:

- 1. To note the overall financial position of the Council as at December 2023 as set out in this report.**
- 2. Approve the acceptance of the grant from the Local Electric Vehicle Infrastructure (LEVI) Fund of £1,360,000 and agree to enter into a grant agreement with the applicable parties in respect of such funding.**

REASONS FOR DECISION

To facilitate financial management and control of the Council's finances and to approve the grant award.

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

This budget monitoring report is primarily an update on the Council's financial position. On the LEVI grant proposal, if the grant was rejected, dedicated electric vehicle charge point infrastructure for blue badge holders would not be delivered and there would be a risk to the Council's reputation for not accepting external funding to deliver the project.

9 F S214 Capital Update and Property Disposals and Acquisitions Report

- 9.1 Mayor Woodley discussed the recent positive visit to Daubeney Primary School and Children's Centre and Family Hub undertaken by herself and Deputy Mayor Anntoinette Bramble, Cabinet Member for Education, Young People and Children's Social Care, and welcomed the proposed investment into many of the Council's priority areas.
- 9.2 Introducing the report, Cllr Chapman confirmed that despite financial difficulties the Council was still able to make substantial progress to meet manifesto commitments and improve services across the Borough, and highlighted the proposed investment into Daubeney Children's Centre and Family Hub, a new telephony contact system, and into enhancing the Council's website, partly in response to the over 2.3m individual enquiries in the last year.
- 9.3 Cllr Guy Nicholson, Deputy Mayor for Delivery, Inclusive Economy and Regeneration, spoke in support and drew attention to the Council's success in receiving a £1.8m grant from the Government's Brownfield Land Release Fund, which would unlock the final two phases of the Kings Crescent Estate regeneration project.

RESOLVED:

- 1. That the scheme for Children and Education Directorate as set out in section 11 be given approval as follows:**

Daubeney Children's Centre and Family Hub: Resource and spend approval of **£150k (£73k in 2023/24 and £77k in 2024/25)** is requested to enable Council Officers to progress the building adaptations to part of the building at the Daubeney Children's Centre to become a Children and Family Hub. Daubeney Children's Centre has been operating as a multi-agency strategic centre, but has recently been redesignated as a Children and Family Hub.

- 2. That the scheme for Finance and Corporate Resources Directorate as set out in section 11 be given approval as follows:**

New Telephony System Implementation: Spend approval of **£50k (£14k in 2023/24 and £36k in 2025/26)** is requested to enable Council Officers to progress with the implementation of a new cloud based telephony and contact centre system.

Enhancing the Council Website: Spend approval of **£441k (£37k in 2023/24, £220k in 2024/25 and £184k in 2025/26)** is requested to enable Council Officers to deliver the transformative improvements to the Council's website through redesigning and improving the website content, processes and underlying technology.

3. That the s106 Capital funded scheme summarised below and set out in section 11 be approved:

S106	2023/24 £'000	2024/25 £'000	2025/26 £'000	Total
Capital	100	400	0	500
Total S106 Capital for Approval	0	400	(0)	500

4. That the s106 Revenue funded scheme summarised below and set out in section 11 be approved:

S106	2023/24 £'000	Fr Capital 2024/25 £'000	To Revenue 2024/25 £'000	Total
Capital	0	(506)	0	(506)
Revenue	0	0	506	506
Total S106 Revenue for Approval	0	(506)	506	506

5. That the S106 Capital funded scheme below and set out in section 12 be noted:

S106	2023/24 £'000	2024/25 £'000	2025/26 £'000	Total
Capital	42	134	84	260
Total S106 Capital for Approval	42	134	84	260

6. That the schemes outlined in section 13 be noted.

7. The purchase of an ex-right to buy property part funded by the Local Authority Housing Fund (LAHF) Round 2 and the submission of a funding application to the Brownfield Land Release Fund (Round 3) from the Department of Levelling Up, Homes and Communities (DLUHC) for a number of schemes across the Housing Supply and Estate Regeneration Programmes.

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

None.

10 F S242 2024/25 Budget and Council Tax Report

- 10.1 Noting that this was her first Budget as Mayor, Mayor Woodley spoke to the difficult financial circumstances, the growing demand for key services, and the rising costs set against over a decade of underinvestment from the Government, which had put immense pressures on local services across the country. However, the proposed Budget was still ambitious, balancing the books at a time when so many councils were unable to do so, and would ensure the Council would work for a better Hackney in these challenging times.

- 10.2 The Mayor highlighted that the Council's core spending power had reduced by £156m since 2010-11, a 40% reduction in real terms, and that this year's funding had been set through a one-year settlement from the Government with and a proliferation of one-off grants, rather than with sustainable, long-term

Monday 26 February 2024

funding needed to plan and provide the services that residents deserve. In addition, there had also been cuts to key grants. As a result, it would be proposed to raise Council Tax by 4.99%, but at the same time increase the discount to eligible residents on low incomes to 90%.

10.3 Cllr Chapman highlighted that the Council had had to find savings to fill a £22m revenue gap this year, which required difficult decisions that would impact services. However, priority areas and front line services had been protected throughout that process.

10.4 Following the results of a recorded vote, as set out below, the recommendations were agreed.

For: (7 Members) Deputy Mayor Bramble, Cllr Chapman, Cllr Fajana-Thomas, Cllr Kennedy, Cllr Nicholson, Cllr Williams, and Mayor Woodley.

Against: 0

Abstentions: 0

RESOLVED:

1. Cabinet is recommended to consider the report and make the following recommendations to Council for approval:

2. Council is recommended:

1. To bring forward into 2024/25 the Council's projected 2023/24 General Fund balance of £17.0m with the aim of increasing this to £20m over the medium-term period to 2026/27 noting the Housing Revenue Account (HRA) projected 2023/24 balance of £15m with the aim of increasing to £17.6m by the end of March 2024.

2. To agree for approval the directorate estimates and estimates for the General Finance Account items set out in Table 2 in Section 14 of this report.

3. To note that the budget is a financial exposition of the priorities set out within the Strategic Plan summarised at Section 6 below.

4. To note that in line with the requirements of the Local Government Act 2003, the Interim Group Director of Finance, is of the view that:

The General Fund balances which currently stand at £17.0m and the level of other reserves are adequate to meet the Council's financial needs for 2024/25 and that considering the economic uncertainty they should not fall below this level and that the aim is to increase these to £20m over the medium term period to 2026/27 from a review of current earmarked reserves.

This view takes account of the reserves included in the Council's latest published 2022/23 Accounts and the movements of those reserves since that date – which have been tracked through the

Monday 26 February 2024

Overall Financial Position (OFP) Reports, and the latest OFP projections. Note also, that the projections in the HRA Budget to increase the balance to £17.6m by 31 March 2024 are also considered to be adequate at this point in time but will need to continue to be reviewed in the light of the challenges facing the HRA.

The General Fund estimates are sufficiently robust to set a balanced budget for 2024/25. This takes into account the adequacy of the level of balances and reserves outlined above and the assurance gained from the comparisons of the 2023/24 budget with the projected spend identified in the December 2023 OFP. The overall level of the corporate contingency has been set at £2m.

5. To approve the proposed General Fund fees and charges as set out in Appendix 7 for implementation from 1st April 2024.
6. To continue the policy requiring the Interim Group Director of Finance to seek to mitigate the impact of significant changes to either resources or expenditure requirements.
7. To require the Mayor, Cabinet and the Corporate Leadership Team to develop robust plans to deliver against the revised Medium Term Financial Plan included at Appendix 5 taking into account the recommendation of the S151 Officer as set out in the Section 25 Statement (Appendix 11). This is needed to maintain the financial resilience of the Council and to avoid the requirement to make short-term decisions which will adversely impact on our residents.
8. To note the summary of the HRA Budget and Rent setting report proposed to Cabinet on 22nd January 2024.
9. To authorise the Interim Group Director of Finance to implement any virements required to allocate provision for demand and growth pressures set out in this report subject to the appropriate evidence base being provided.
10. To approve:

The allocation of resources to the 2024/25 capital programme referred to in Section 22 and Appendix 6.
11. To note that the new capital expenditure proposals match uncommitted resources for the year 2024/25.
12. To agree the prudential indicators for Capital Expenditure:- the Capital Financing Requirement; the Authorised Limit and Operational Boundary for External Debt; the Affordability prudential indicators; and the Treasury Management Prudential Indicators for 2024/25 as set out in Section 23 and Appendix 3.
13. To confirm that the authorised limit for external debt of £792m agreed above for 2024/25 will be the statutory limit determined

under section 3(1) of the Local Government Act 2003. Further reassurance about the robustness of the budget is the confirmation that the Council's borrowings are within the boundaries of prudential guidelines.

14. To continue to support the approach of using reserves to manage emerging risks and liabilities.
15. To note that at its meeting on 24th January 2024 the Council agreed its Council Tax Base for the 2024/25 financial year as 77,766.9 in accordance with regulations made under section 33(5) of the Local Government Finance Act 1992. The Council Tax Base is the total number of properties in each of the eight council tax bands A to H converted to an equivalent number of band D properties.
16. To agree that the following amounts be now calculated by the Council for the year 2024/25 in accordance with Sections 31A to 36 of the Localism Act 2011.

The authority calculates the aggregate of: (in accordance with Section 31A (2) of the Act)

- a) £1,374.738m being the expenditure which the authority estimates it will incur in the year in performing its functions and will charge to a revenue account, other than a BID Revenue Account, for the year in accordance with proper practices.
 - b) £2m being such allowance as the authority estimates will be appropriate for contingencies in relation to amounts to be charged or credited to a revenue account for the year in accordance with proper practices.
 - c) £nil being the financial reserves which the authority estimates it will be appropriate to raise in the year for meeting its estimated future expenditure.
 - d) £nil being such financial reserves as are sufficient to meet so much of the amount estimated by the authority to be a revenue account deficit for any earlier financial year as has not already been provided for.
 - e) £nil being the amount which it estimates will be transferred in the year from its general fund to its collection fund in accordance with section 97(4) of the 1988 Act, and
 - f) £nil being the amount which it estimates will be transferred from its general fund to its collection fund pursuant to a direction under section 98(5) of the 1988 Act and charged to a revenue account for the year.
17. The authority calculates the aggregate of: (in accordance with Section 31A (3) of the Act)
 - a) £1,263.182m being the income which it estimates will accrue to it in the year and which it will credit to a revenue account, other than a BID Revenue Account, for the year in accordance with proper practices.

- b) £4.218m being the amount which it estimates will be transferred in the year from its collection fund to its general fund in accordance with section 97(3) of the 1988 Act.
- c) £nil being the amount which it estimates will be transferred from its collection fund to its general fund pursuant to a direction under section 98(4) of the 1988 Act and will be credited to a revenue account for the year, and
- d) £nil being the amount of the financial reserves which the authority estimates it will use in order to provide for the items mentioned in subsection (2) (a), (b), (e) and (f) above.

18. £109.338m being the amount by which the aggregate calculated under subsection (1) above exceeds that calculated under subsection (2) above, the authority calculates the amount equal to the difference; and the amount so calculated is its Council Tax Requirement for the year.

19. £109.338m being the amount at (3.2.18) divided by the amount at (3.2.15) above, calculated by the Council, in accordance with section 31A of the Act, £1,405.97 as the basic amount of its council tax for the year.

20. That the Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables below as the amounts of Council tax for 2024/25 for each part of its area and for each of the categories of dwellings.

Valuation Bands Hackney

A	B	C	D	E	F	G	H
£937.31	£1,093.53	£1,249.75	£1,405.97	£1,718.41	£2,030.84	£2,343.28	£2,811.94

21. That it be noted that for 2024/25 the Greater London Authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below.

Valuation Bands GLA

A	B	C	D	E	F	G	H
£314.27	£366.64	£419.02	£471.40	£576.16	£680.91	£785.67	£942.80

22. That having calculated the aggregate in each case of the amounts at 3.2.20 and 3.2.21 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for 2024/25 for each of the categories of dwellings as shown below.

Valuation Bands Combined Hackney/GLA

A	B	C	D	E	F	G	H
£1,251.58	£1,460.17	£1,668.77	£1,877.37	£2,294.57	£2,711.75	£3,128.95	£3,754.74

23. To agree, subject to the decision of Members on recommendations 3.2.16 to 3.2.18 that Hackney's Council Tax requirement for 2024/25 be £109.338m which results in a Band D Council Tax of £1,405.97 for Hackney purposes and a total Band D Council Tax of £1,877.37 including the Greater London Authority (GLA) precept.
24. To agree that in accordance with principles approved under section 52ZB of the Local Government Finance Act 1992, and the new provisions included in the Localism Act 2011, the increase in the Council's Council Tax requirement for 2024/25 as shown at Appendix 8 is not excessive (5% or above) and therefore does not require the Council to hold a referendum.
25. To agree the Treasury Management Strategy for 2024/25, set out at Appendix 3.
26. To agree the criteria for lending and the financial limits set out at Appendix 3.
27. To approve the Minimum Revenue Provision statement setting out the method of calculation to be used, as set out in paragraphs 23.19-23.28 below.

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The requirement to agree a legal budget and set the Council Tax for the forthcoming year has been laid down by Statute. As such there are no alternatives to be considered.

The details of the budget, including savings, have been the subject of reports to Cabinet and consideration by the Corporate Leadership Team at meetings throughout 2023/24.

As part of the political process opposition groups are permitted to put forward alternatives to these proposals for consideration. Any alternative proposals put forward will be tabled at the Council meeting on 28th February 2024.

11 **CE S288 Children and Families Service Full Year Update Report to Members 2022/23**

- 11.1 The Mayor thanked Officers for the work reported in the Full Year Update to Members, and spoke of her pride in the quality of services protecting children, keeping them safe from harm, and helping them to thrive.
- 11.2 Deputy Mayor Bramble introduced the report which demonstrated the work that had been undertaken in 2022/23, the improvement within the Council, and the commitment and dedication of the Service. This was an important responsibility for Hackney, in part because the work of the Children and Families Service

touched on the work of so much of the Council. Deputy Mayor Bramble also highlighted the important work on anti-racism, the work in relation to Child Q, the implementation of the Mosaic case recording system, and thanked members of the Corporate Parenting Board.

- 11.3 Cllr Susan Fajana-Thomas, Cabinet Member for Community Safety and Regulatory Services, and Cllr Sade Etti, Deputy Cabinet Member for Housing Needs and Homelessness, spoke in support, recognising the Service area's performance and thanking Officers.

RESOLVED:

Cabinet and Council are recommended to note and endorse the content of the Children and Families Annual Report 2022/23 (Appendix 1).

REASONS FOR DECISION

The report is for information and endorsement only.

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not applicable.

12 CHE S246 Stamford Hill Area Action Plan

- 12.1 Noting that Stamford Hill was a special part of the Borough and that the proposed plan was the result of over a decade of work to meet the needs of Hackney's diverse communities, whilst respecting the character of its streets and local opportunities for growth, the Mayor thanked Cllr Nicholson, Deputy Mayor for Delivery, Inclusive Economy and Regeneration, and Officers for the progress they had made.
- 12.2 Cllr Nicholson confirmed that this did not represent the final Plan, but was a request to agree to start the final phase of consultation with the wider community before it would be submitted to an examination in public with the Planning Inspector. After that process, and the Inspector had made recommendations, the Plan would be considered for adoption.
- 12.3 Cllr Nicholson discussed the profound iterative stages that the Plan had been through, how it had demanded a great deal of input from the wider community in the Stamford Hill area, along with specialist advice, and that the time was now right for the Plan, which was designed to increase living space for families and provide a framework for family orientated infrastructure, to begin its final stages of development.

Cllr Coban joined the meeting.

RESOLVED:

- 1. Recommend to Full Council to approve the proposed submission Stamford Hill Area Action Plan at appendix 1 for publication and subsequent submission to Government for an independent examination in public.**

- 2. Recommend to Full Council to delegate authority to the Group Director, Climate, Homes and Economy to approve administrative alterations, graphical, typographical amendments, to improve cross referencing (e.g. para numbering, page numbering) ahead of consultation or ahead of submission to Government for examination in public.**

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The alternative is not to produce an Area Action Plan for the Stamford Hill area and rely on the adopted borough-wide Local Plan policies. This has been rejected as the AAP is considered necessary to provide an essential framework for growth which responds to the specific needs of the Stamford Hill community and safeguards the area's unique character.

The AAP will ensure that development delivers real benefits to the community, particularly in terms of maximising the supply of larger family homes, improving open space and the public realm more broadly, and enabling the provision of new education and community facilities and improving local shopping centres in Stamford Hill. In producing the Stamford Hill AAP, the Council has engaged positively with the community and different groups and organisations within it to shape the vision for the future of Stamford Hill and inform the objectives and detailed planning policies.

13 CHE S249 Stamford Hill Design Guide Supplementary Planning Document

- 13.1** Cllr Nicholson explained that the draft Stamford Hill design guide would provide guidance for architects and homeowners to design extensions to provide additional bedroom space and living space for families, within existing buildings across the neighbourhood.

RESOLVED:

- 1. Approve the draft Stamford Hill Design Guide Supplementary Planning Document (Appendix 1) for consultation.**
- 2. Delegate authority to the Group Director, Climate, Homes and Economy to approve administrative alterations, graphical, typographical amendments, to improve cross referencing (e.g. para numbering, page numbering) ahead of consultation.**

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The alternative is not to produce a Design Guide for Stamford Hill and rely on the adopted borough-wide Local Plan policies, the Stamford Hill AAP and the boroughwide Residential Extensions and Alterations SPD. This has been rejected as the Stamford Hill Design Guide is considered an essential tool to support implementation of planning policies for the Stamford Hill area.

14 CHE S290 Woodberry Down Phase 4 Compulsory Purchase Order (CPO)

14.1 The Mayor confirmed that the Council placed a high priority on regeneration, which was exemplified by a Woodberry Down regeneration programme that had built new homes, a new community centre and library, commercial space, and the provision of three new parks.

14.2 Introducing the report, Cllr Nicholson confirmed that the report recommended the acquisition of the current Right to Buy homes that sat within Phase 4 of the estate regeneration project. It was hoped that the negotiations underway would ensure acquisitions without the need to utilise a compulsory purchase order, but to enable the project to move forward it was required to formally set out the Council's intention to acquire the homes.

RESOLVED:

- 1. Approve the draft London Borough of Hackney Woodberry Down (Phase 4) Compulsory Purchase Order 2024 as attached at Appendix 1 ("the Order"), the map identifying the Order Land ("the Order Land") as attached at Appendix 2 and the Statement of Reasons made in support of that Order and attached at Appendix 3 ("the Statement of Reasons") and the Equality Impact Assessment Report attached at Appendix 4.**
- 2. Authorise the Group Director of Climate, Homes and Economy, after consultation with the Acting Director of Legal, Democratic and Electoral Services to make any minor changes considered necessary to the Order, the Order Land, or the Statement of Reasons, and to approve the schedules of land and interests to be attached to the Order.**
- 3. Authorise the making of the Order under Section 226(1)(a) of the Town and Country Planning Act 1990 ("the 1990 Act") and authorise the confirmation of the Order if the Council is given the power to do so by the Secretary of State under Section 14A of the Acquisition of Land Act 1981.**
- 4. Authorise the Group Director of Climate, Homes and Economy after consultation with the Acting Director of Legal, Democratic and Electoral Services, to issue notices and carry out actions under Section 172 of the Housing and Planning Act 2016 and, where necessary, to enter onto land and carry out surveys of any land which the Council proposes to acquire compulsorily.**
- 5. Authorise the Group Director of Climate Homes and Economy after consultation with the Acting Director of Legal, Democratic and Electoral Services and following confirmation of the Order, to publish and serve notice of confirmation of the Order, together with notice of the Council's intention to make a General Vesting Declaration ("GVD"), and to make one or more GVDs (and to serve all appropriate notices in connection**

therewith) or to serve notices to treat and notices of entry (as appropriate) in respect of the Order Land.

6. Authorise the use of powers under the 1990 Act to secure the removal of any apparatus of statutory undertakers or communication code operators from the Order Land shown within the red line in the map in Appendix 2.
7. Authorise the acquisition by agreement of all third party interests in and over the Order Land under Section 227 of the 1990 Act before or after confirmation of the Order and in respect of any new rights required for the development or use of the Order Land.
8. Authorise the Group Director of Climate Homes and Economy after consultation with the Acting Director of Legal, Democratic and Electoral Services to take all necessary steps to override all third party interests and rights over the Order Land under Section 203 of the Housing & Planning Act 2016, and to pay such compensation and costs as is agreed between the parties or determined by the Upper Tribunal (Lands Chamber). This authorisation includes the publication and advertisement of the Order, serving appropriate notices, seeking confirmation of the Order, participation in a Public Inquiry (if required), taking all necessary steps to acquire relevant interests, and any other such steps as deemed appropriate to facilitate the development, redevelopment or improvement of the Order Land or to facilitate the Council's participation in a potential Public Inquiry.
9. Authorise the Group Director of Climate Homes and Economy after consultation with the Acting Director of Legal, Democratic and Electoral Services to enter into agreements and to make undertakings, contracts and transfers on behalf of the Council with third parties with interests in the Order Land.
10. Authorise the Group Director of Climate Homes and Economy after consultation with the Acting Director of Legal, Electoral and Democratic Services to create new rights in favour of the Order Land with parties otherwise affected by the Order in order to secure the withdrawal of objections to the confirmation of the Order, including but not limited to the removal of any land from the Order.

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Vacant possession of the Order Land is required in order for the redevelopment to be delivered. Vacant possession can only be achieved by acquiring the necessary leasehold and freehold interests that exist. The Council has and will continue to attempt to acquire these interests by negotiation, however, this may not be possible in all cases. Where agreement by negotiation is not possible the only other option is to acquire the interests through the exercise of the Council's powers of compulsory purchase.

Refurbishment is not an option as the current condition of the properties is generally poor and any refurbishment would be very expensive but still fall short of modern standards. This is detailed in earlier Cabinet reports, in particular the Cabinet Report of 4 November 2002, where 5 options for the Woodberry Down Estate, including demolition, were first put forward. The Council subsequently concluded that the demolition of the Estate and its replacement with modern residential accommodation, was the best and most cost effective option. This is reflected in the Woodberry Down site allocation in LP33, and further supported by building surveys conducted as part of the Phase 4 planning application.

Doing nothing is not an option as failure to secure vacant possession on Phase 4 would jeopardise the ability to realise the full vision of the Woodberry Down regeneration. Phase 4 is crucial to the overall development, by providing a central civic hub for Woodberry Down, with new shops, public space and services. Furthermore, delivery of the remaining phases (Phases 4-8) mean that Council tenants in Phases 6 and 7 in Woodberry Down have an opportunity to move into a new home earlier than would be possible if Phase 4 is not delivered. Therefore, the redevelopment is vital in order to complete the wider programme and realise the associated benefits.

15 F S296 Community Municipal Investment - Green Loan Issuance

- 15.1 Noting that Hackney had a pioneering approach to climate action, which included tree planting, traffic reduction, and the use of renewable energy, the Mayor welcomed the proposals that would give residents an opportunity to support the green transition, and help the Council to fill the current gap in Government funding.
- 15.2 Cllr Mete Coban, Cabinet Member for Climate Change, Environment and Transport, introduced the report on behalf of himself and Cllr Chapman and highlighted the successes of Hackney's Climate Action Plan, and that the Borough was leading on tackling climate change. The Green Loan proposal, which was an innovative way of bringing additional funding to Hackney, had already seen over 4,500 people in other local authorities investing, raising money for community climate projects.

RESOLVED:

- 1. To approve the launch of the Hackney Community Municipal Investment - Green Loan in May 2024 to finance green initiatives.**
- 2. To approve the conditions of the first Hackney Community Municipal Investment launch as set out at paragraph 9.3.5 and to delegate authority to the Interim Group Director Finance, in consultation with the Acting Director, Legal, Democratic and Electoral Services, to enter into any agreements that may be necessary.**

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The Council could choose an alternative source of borrowing to raise £1m to fund the projects in line with our Treasury Management Strategy, such as borrowing through the PWLB. This would result in the projects being funded but the financial impact to the Council would potentially be a slightly higher cost of borrowing as the CMI should match or undercut the PWLB certainty rate. In addition, this would test the opportunity to raise funding from a wider range of sources. This CMI is the Council's chance to engage in a new way of funding work to reduce carbon emissions and increase resident participation.

Council aims to test a range of approaches to increase funding available for wider climate-related projects.

16 **CHE S221 Consolidation Of Historic Smoke Control Orders And Public Consultation**

16.1 The Mayor highlighted the increased awareness of the impact of air pollution, which was why the Council was proposing to consolidate the 27 existing smoke controls into one comprehensive regulation to protect the Council from legal risk and protect our residents' health.

16.2 Agreeing that air pollution was a significant public health issue, Cllr Coban highlighted evidence that showed that it didn't just impact hearts and lungs, but also impacted low birth-rates and saw declines in cognitive functions. It was important to take action, as laid out in the Council's Air Quality Action Plan, and the proposals would help Hackney tackle toxic air pollution.

RESOLVED:

- 1. Approve the proposal to take the relevant steps in order to revoke all existing Smoke Control Orders across the London Borough of Hackney, which will then go to the Secretary of State for confirmation/approval;**
- 2. Approve the proposal to publish, and seek public comment on, a new draft Smoke Control Order which covers the entire borough and which extends the smoke control provisions to include moored vessels (hereafter, Order);**
- 3. Approve a cap of £2,300 per vessel to those who are eligible, for the purpose of upgrading appliances to meet compliance standards should the Order be approved.**

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Do Nothing. Although the Smoke Control Orders continue to be valid and can be used to enforce the provisions, the changes in administrative boundaries and road layouts, etc. which have occurred since they were made make the area covered less

clear. As further changes over time are expected, this may result in legal challenges. Also, the Smoke Control Orders that currently exist do not include moored vessels and recent changes to the legislation now allow these to be included within the scope. If no changes are made, it will not help to achieve the targets for particulate matter that Hackney Council has committed to meet by 2030. Therefore, the option to do nothing was rejected.

Consolidate the existing historical Smoke Control Orders into a single Order without extending the scope to include moored vessels. To revoke the historical Smoke Control Orders and replace them with a new single boroughwide Order without extending the current provisions was considered. As set out above, the opportunity to include moored vessels within the provisions has recently become available. There is not a requirement for local authorities to adopt these powers and, before doing so, a process of engagement would be required. A decision on whether to include moored vessels within the scope would be made following this process of engagement and would be dependent on the feedback received. It would be more efficient and practical to undertake this process at the same time as consolidating the Orders. Therefore, the option to not include this amendment was rejected.

17 F S252 Chalkhill Partners - Temporary Accommodation Acquisition and Lease Project

17.1 The Mayor explained how Government inaction on housing had left thousands of people in need of temporary accommodation, forcing Councils to spend more on housing that is often not fit for purpose. That was why the Council was proposing to invest in long-term, better quality accommodation to help manage the crisis.

17.2 Cllr Chapman spoke to the housing crisis in the country, which in Hackney saw over 8,000 people on the waiting list, with 3,000 families in temporary accommodation, and nationally since 2010 there had been a 175% increase in the number of people now homeless. It was regrettable that the Council needed additional temporary accommodation, but this proposal would help ensure better quality housing was available.

17.3 Cllr Sade Etti discussed how this was a bold decision, but it was based on previous successes, such as at Cape House and Ivy House.

RESOLVED:

- 1. Note the strategic context set out in this report, including the increasingly challenging shortages of temporary accommodation, growing demand, rising costs, and the need to secure longer term and more sustainable supply of temporary accommodation properties in order to meet the Council's statutory obligation.**
- 2. Note the principles and structure of the proposed contractual arrangement for the acquisition and letting of properties, together with the reasoning supporting its implementation, both as described in this report;**
- 3. Give delegated authority to the Director of Strategic Property Services, in consultation with the Interim Group Director, Finance, to:**

- **negotiate the detailed terms of an Agreement for Lease (or a broadly equivalent contractual instrument with the same commercial effect) with the REIT (and any necessary ancillary agreements)**
 - **agree that the Council enters into the Agreement for Lease (or a broadly equivalent contractual instrument with the same commercial effect) with the REIT.**
 - **negotiate the detailed terms of the individual leases on each property.**
- 4. Give delegated authority to the Director of Strategic Property Services, in consultation with the Interim Group Director, Finance, the authority to negotiate the detailed terms of, and the authority to agree that the Council enters into, a management agreement with the appointed managing agents.**
- 5. Authorise the Acting Director of Legal, Democratic & Electoral 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

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Do nothing and lose this opportunity to increase the number of Temporary Accommodation units in the Council's long term control at more affordable levels than alternative short term accommodation options

This option has been rejected on the grounds that it will:

- continue to leave the Council with significant uncertainty of provision of temporary accommodation
- increase the likelihood that homeless residents will be required to relocate outside of London for temporary accommodation
- increase cost pressures for the Council
- increase the risk of needing to use expensive bed and breakfast and hotel accommodation
- leave the Council at growing risk of legal challenge for failing to fulfil its statutory obligations under the Housing Act 1996 and the Homelessness Reduction Act 2017

Raise the capital through borrowing and purchase an equivalent portfolio directly owned by the Council

This option has been rejected on the grounds that:

- there are significant capital and revenue implications, that are unaffordable in the context of the wider financial pressures on the Council (see finance comments in section 7)

Monday 26 February 2024

- Officers have reviewed with colleagues in Housing Services the potential option of the service undertaking the management of the 300 properties that will be disbursed throughout London. They have advised that it would be very challenging and expensive for the service to manage a portfolio of this nature given likely distribution of properties and uncertain nature of the stock. Housing Services have also advised that their current priority focus is on improving the delivery of their existing services in preparation for the new Social Housing Regulator.

Approach other parties operating in the sector to enter negotiations to put together a similar proposal

This option has been rejected on the grounds that:

- the exercise would take in the order of 9-12 months and would not be expected to yield improved terms considering current market fundamentals (including recent increases in interest rates)
- other discussions with potential partners have taken place previously (including with Chalkhill and other providers) but have not identified alternative options that would be viable to be taken forward
- the scale of the proposed agreement, the number of short term and bed & breakfast units currently in the temporary accommodation portfolio (1,228 at the time of writing - see section 6 below), the continued (and accelerating) reduction in supply, and the increasing demand for temporary accommodation mean that this agreement would not prevent the Council from entering into further agreements with other providers, provided equally (or more) favourable terms were offered.

18 AHI S299 Sexual and Reproductive Health Strategy 2024- 2029

- 18.1 The Mayor reconfirmed that the Council took its public health responsibilities seriously, and that working in partnership with the NHS and community partners, had developed a new strategy that would help improve sexual and reproductive health in the Borough.
- 18.2 Cllr Christopher Kennedy, Cabinet Member for Health, Adult Social Care, Voluntary Sector and Culture, reported on the consultation process that had helped to inform the proposed strategy, and that the strategy had been agreed at the Health and Wellbeing Board (HWB). After highlighting the five themes, Cllr Kennedy confirmed that delivery would be complex, but a HWB sub-committee would meet quarterly to ensure implementation, and Cabinet would receive an annual update.

RESOLVED:

- 1. To agree to adopt the 2024-2029 City and Hackney Sexual and Reproductive Health Strategy.**
- 2. To request an annual update on progress in implementing the strategy**

REASONS FOR DECISION

The Strategy will help improve the health and wellbeing of local residents and ensure services are better coordinated to enable improved outcomes and user experience.

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

To continue to commission and provide for services without an overarching strategy. This would perpetuate current inequalities and poor sexual and reproductive health.

Not to have a local strategy but adopt the North East London Sexual and Reproductive Health Strategy. The NEL strategy is still in development and will not have the same level of detail or local control that adopting a specific local City and Hackney strategy will bring.

19 **CHE S303 Public Spaces Protection Order Dog Control**

19.1 The Mayor reminded the Cabinet that the Council maintained a number of Public Spaces Protection Orders (PSPO) to make sure that green spaces were welcoming to everyone. The PSPOs needed to be updated so they were fit for purpose and responded to how people used Hackney's parks after the Covid pandemic.

19.2 Introducing the report, Cllr Fajana-Thomas restated that PSPOs were intended to deal with nuisances or problems in public areas that were detrimental to local communities and quality of life, by imposing conditions on the use of specific areas and ensuring that Community Safety Enforcement Officers and Police had the necessary powers to respond. Cllr Fajana-Thomas shared with Cabinet details of the consultation, including that it had received almost 4,000 responses, and thanked Officers for their hard work preparing the proposed PSPO.

RESOLVED:

- 1. Approves a revised Public Spaces Protection Order (Dog Control) in relation to the renewing and varying of the existing Public Spaces Protection Order (Dog Control), which would place controls on dog fouling, dog exclusion, dogs on leads, dogs on leads where requested and on the maximum number of dogs that can be walked by one person. A copy of the proposed Public Spaces Protection Order (Dog Control) is attached to this report as Appendix 1.**

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Not having a PSPO in place regarding dog control will have a detrimental impact on the experience of residents and other users of parks, open spaces, play and other areas across the borough. Furthermore, the ability of Community Safety and Enforcement Officers to enforce dog-related nuisance across the borough would be significantly restricted; leading to increased dog fouling, dogs being a nuisance and not being adequately controlled, dogs entering children's play areas, sports areas and other areas.

Officers can enforce by-laws relating to Parks, Gardens and Open Spaces, which were first made in 1932 and transferred to the Council from The Greater London Council in 1971. The by-laws are outdated and hold a maximum penalty of £20, which is not a sufficient deterrent to those who would breach them.

This option would be contrary to the need for the PSPO and public support for the PSPO.

Renewing the current PSPO without any changes was also considered. However, this option would not have allowed the adding of prohibitions / requirements stipulated in the PSPO, the updating of locations from which dogs are excluded and in which dogs must be kept on a lead. It was therefore rejected.

20 CED S272 Equality Plan - Final Draft

- 20.1 The Mayor stated that equality was at the heart of Hackney's mission. The proposed new Equality Plan would put that into practice with new evidence, analysis, and clear actions to make Hackney fairer. At a time of pressure on services and funding, it was more important than ever that the Council considered how to support residents dealing with inequalities and inequities and embed that throughout its services.
- 20.2 Cllr Carole Williams, Cabinet Member for Employment, Human Resources and Equalities, discussed how the Equality Plan, the anti-racism framework and the LGBTQIA framework were an articulation of the Council's Strategic Plan which itself was drafted when the deep inequalities in the Borough were clear, following austerity and national Government cuts, and the Covid pandemic.
- 20.3 Cllr Williams restated the protected characteristics as being; age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. In addition, Cllr Williams also provided details of the work that the Council had already undertaken, including the passing of motions on anti-racism; supporting trans rights; the impact of menopause and perimenopause; understanding the needs of single parents; tackling Islamophobia and anti-Semitism; becoming an age friendly and dementia friendly Borough; and a commitment to the right to food.

Deputy Mayor Bramble left and returned to the meeting during this agenda item.

RESOLVED:

- 1. To recommend to Full Council that the Equality Plan be adopted, along with the anti-racism framework and LGBTQIA framework:**
 - **Appendix 1: Equality Plan**
 - **Appendix 2: the anti-racism framework**
 - **Appendix 3: the LGBTQIA framework**

- 2. To agree that a full action plan for the Equality Plan will be brought to Cabinet later this year**

3. To agree that the Equality and Cohesion Policy is also brought to Cabinet later this year, so it can reflect the new objectives

REASONS FOR DECISION

The reasons for the decision were included in the printed decisions, published on the 27 February 2024, and can be [found here](#).

DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

We could have done what is statutorily required and only published draft objectives, without developing the more detailed plans that flow from these objectives. In the early consideration of the Equality Plan this option was rejected by corporate leadership so that sufficient attention could be given to the positive actions needed to tackle inequality of outcomes, build opportunity and celebrate diversity and to address the challenges for us as an institution, and for statutory partners.

We could have incorporated objectives into the wider Strategic Plan. An equality plan was considered to be needed in order to consider the Strategic Plan ambitions for fairer outcomes through an equality prism.

21 Nominations to Outside Bodies and Updated Executive Committee Membership

21.1 The Mayor confirmed that the Council had the power to appoint or nominate people to represent it on various Outside Bodies, which enabled Hackney to build even stronger connections with key partners.

RESOLVED:

Cabinet to;

- 1. approve the nominations of Councillors to Outside Bodies, on behalf of the Council, as set out in Appendix 1;**
- 2. note the change in Cabinet Procurement Insourcing Committee membership, as set out in Appendix 1.**

22 Exclusion of the Press and Public

22.1 The Cabinet agreed that the exclusion of the press and public was not required to consider exempt items 23-26.

23 CHE S290 Woodberry Down Phase 4 Compulsory Purchase Order (CPO) - Exempt Appendix

23.1 The Cabinet agreed that no further consideration of the exempt appendix in relation to agenda item 14 was required.

24 F S296 Community Municipal Investment - Green Loan Issuance - Exempt Appendix

Monday 26 February 2024

24.1 The Cabinet agreed that no further consideration of the exempt appendix in relation to agenda item 15 was required.

25 F S252 Chalkhill Partners - Temporary Accommodation Acquisition and Lease Project - Exempt Appendix

25.1 The Cabinet agreed that no further consideration of the exempt appendix in relation to agenda item 17 was required.

26 Urgent Exempt Business

26.1 There were no new exempt items for consideration.

Duration of the meeting: 6.01 - 6.57pm

Draft