

STAGE 1 PARKING CONSULTATION IN UNRESTRICTED STREETS ADJACENT TO ZONES D (N), N, E AND G

KEY DECISION NO. HCS K86

CABINET MEETING DATE

22 June 2015

CLASSIFICATION:

Open

If exempt, the reason will be listed in the main body of this report.

WARD(S) AFFECTED

Hackney Downs, Kings park, Leabridge, Cazenove, Woodberry Down, Springfield, Stamford Hill West

CABINET MEMBER

Cllr Feryal Demirci

Neighbourhoods

KEY DECISION

Yes

REASON

Affects Two or More Wards

CORPORATE DIRECTOR

Kim Wright, Corporate Director of Health and Community Services

1. CABINET MEMBER'S INTRODUCTION

- 1.1 The extension of parking zones E and N has caused considerable parking displacement in the unrestricted streets nearby resulting in complaints and petitions being received from residents in these areas.
- 1.2 The policy for the introduction of parking controls as set out within the Parking Enforcement Plan, requires the Council to consult residents and businesses within the affected areas to seek their feedback on the implementation of parking controls.
- 1.3 The consolidation of Zones B, D and E would also make parking easier for drivers and visitors parking in those areas.
- 1.4 I commend this report to Cabinet.

2. CORPORATE DIRECTOR'S INTRODUCTION

- 2.1 More than half of the Borough's road network is covered by parking zones where parking and other restrictions are designed to ease traffic congestion, improve safety, access and the local environment and to prioritise parking for the benefit of the local community.
- 2.2 The extension of Parking Zones E and N in 2013 has resulted in reports from residents of considerable parking displacement in the unrestricted streets near these zones from commuters and other motorists. There has also been reports of parking pressure in roads adjacent to existing zone D (n) as well as in uncontrolled roads which have been recently introduced as part of new developments in Zone G.
- 2.3 The Council is committed to consulting residents and businesses on/within the vicinity of displacement roads as part of the review process of existing zones. However, due to the severity of the parking problems being reported, it is prudent to consult now whether measures are needed to relieve parking pressures on these roads.

- 2.4 A plan showing the full extent of the consultation areas can be found in Appendix 1.
- 2.5 The consolidation of Zones B (n), B(s), D (n), D(c), E and E extension as well as the renaming of Zone D (n) are part of the Council's aim to make parking within the borough less confusing for motorists by removing the need for sub zones and differentiating them from other nearby zones who have similar names which would ensure that permit holders are parking in the correct zone.
- 2.6 The renaming of zone D (n) will result in the introduction of a new controlled parking zone which is why authority is being sought for such change in this report.
- 2.7 A plan showing the proposed changes to the Parking Zone D area can be found in Appendix 5.

3. RECOMMENDATION(S)

Cabinet is recommended to agree:-

- 3.1 That officers undertake a Stage 1 'in principle' consultation in the following areas:**
- **Kings Park Ward (part) – All unrestricted streets of the Ward.**
 - **Hackney Downs Ward – unrestricted network of streets between Downs Park Road and Northwold Road.**
 - **Leabridge Ward (part) – the network of streets between Lea Bridge Road and Mayola Road (including Lower Clapton Road).**
 - **Stamford Hill West – All unrestricted streets of the Ward**
 - **Cazenove Ward – All unrestricted streets of the Ward**
 - **Woodberry Down Ward – All unrestricted streets of the Ward**

- **Springfield Ward – the network of streets between Portland Avenue and Clapton Common / Amhurst Park.**

- 3.2 That delegated authority be given to the Corporate Director for Health and Community Services to decide to proceed or not with the implementation of parking controls based on the results of the public consultation (Stage 1 and 2 and statutory consultation regarding changes to traffic management order(s)) provided that this authority shall be exercised after consultation with the Cabinet Member for Neighbourhoods (who may request that such decision be first approved by Cabinet).**
- 3.3 To merge sub zones D(c) and D(s) into one zone and rename the area as “Zone D”.**
- 3.4 To rename sub zone D (n) as “Zone S”.**
- 3.5 To merge sub zones B (n) and B(s) into one parking zone and rename the area as “Zone B”.**
- 3.6 To merge sub zones E and E ext. into one parking zone and rename the area as “Zone E”.**
- 3.7 That delegated authority be given to the Corporate Director for Health and Community Services to vary the traffic management order for car parking zone D (n) to introduce car parking zone S following public consultation provided that this authority shall be exercised after consultation with the Cabinet Member for Neighbourhoods (who may request that such decision be first approved by Cabinet).**

4. REASONS FOR DECISION

- 4.1 Parking Services aims to meet the requirements of all road users, whilst discouraging long-term commuter parking. As the amount of available kerb space is finite, the Parking and Enforcement Plan 2010-15 (“PEP”) has determined a hierarchy of parking need, prioritising residents over business users over non-resident commuters within parking zones.
- 4.2 The Council is committed to ensuring that the local community have the opportunity to have their say on parking provision. With a significant number of residents throughout the areas asking for the opportunity to have a say, it is appropriate that the area is consulted at this time.
- 4.3 Local residents in the Lea Bridge, Kings Park and Hackney Downs Wards have also petitioned Ward Councillors for the early opportunity to be consulted on the introduction of parking controls in the unrestricted area as a result of displacement and commuter parking increasing due to implementation of parking controls in nearby roads.
- 4.4 The renaming of the parking zones will ensure that such zones are easily identifiable thus eradicating any confusion caused to drivers and permit holders.

5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 5.1 Parking zones are the most effective solution in managing supply and demand for on street parking as they not only improve parking provision for the local people but also help improve road safety, reduce congestion, improve the local environment and improve local air quality.
- 5.2 An alternative option is to do nothing. However, this is not considered viable as it is likely to increase the number of complaints by residents and businesses in the area who are suffering from parking stress. This can have a significant impact on the Council’s

reputation as the Council would be seen as not taking into consideration the needs of the local community and addressing any real needs or concerns.

6. BACKGROUND

Zone N displacement

- 6.1.1 The extension of existing zone N was implemented in January 2014 as a result of feedback received from residents within these areas requesting parking controls.
- 6.1.2 Since the extension of these zones, Parking Services have received a number of requests from streets closest to the newly extended zones to introduce parking controls as soon as possible. (See table 1a). In addition, a number of petitions have also been received from residents requesting controls.
- 6.1.3 The Council is therefore recommending that a Stage one consultation be undertaken in the uncontrolled roads within the Lea bridge, Marsh Hill and Lower Clapton areas.

Table 1a: Total number of requests received from Zone N displacement.

Road Name	Requests via Petition	Requests via Email or Letters
Adley Street	0	1
Atherden Road	0	3
Chatsworth Road	0	2
Colne Road	13	4
Daubeney Road	0	8
Durrington Road	47	3
Elmcroft Street	0	7
Fletching Road	0	1
Hilsea Street	0	1
Kingsmead Way	0	1
Lea Bridge Road	0	1
Lower Clapton Road	2	2

Mayola road	0	5
Mildenhall Road	4	3
Millfields Road		5
Nye Bevan estate	0	4
Pedro Street	0	3
Redwald road	0	1
Rushmore Road	0	12
Saratoga road	0	1
Thistlewaite Road	3	1
Trehurst Street	27	2
	96	71

Zone E displacement

- 6.1.4 Similar to the zone N extension, zone E was also extended in January 2014 as a result of feedback received from residents within these areas requesting parking controls.
- 6.1.5 The Council had previously consulted the roads in the Rectory Road area (Benthal, Brooke Road, Maury Road and surrounding roads) in 2008 and 2012 due to feedback and requests received from the area.
- 6.1.6 The majority of the responses received as a result of the 2008 consultation were opposed to the introduction of parking controls in the area. Based on this feedback, no controls were implemented in the area.
- 6.1.7 Further requests were received from several residents in the area requesting parking controls after the 2008 consultation. As a result, another parking consultation was carried out within the area in March and August 2012 to ascertain whether a parking zone should be introduced.
- 6.1.8 Parking Services received a high number of complaints and objections during the consultation from residents regarding the consultation process and the Council's parking policies.

- 6.1.9 Based on this feedback, the Council subsequently updated the PEP to ensure that there was better clarity on its policies by providing residents and businesses with detailed information regarding the Council's consultation process and assisting them in making an informed decision as to whether they wanted parking controls or not.
- 6.1.10 The Council carried out another consultation in the area using the updated processes and policies in June 2013. The responses received showed some roads to be in favour of controls (Jenner Road and sections of Brooke and Evering Road). Based on this feedback and in order to create a logical boundary, Jenner Road, Rectory Road, sections of Evering Road and section of Brooke Road were included into the existing zone E.
- 6.1.11 Since the extension of these zones, Parking Services have received a number of requests for controls to be introduced from streets closest to the newly extended zones (See table 1b). In addition, a number of petitions have also been received from residents requesting controls.
- 6.1.12 The Council is therefore recommending that a Stage one consultation be undertaken within the uncontrolled roads within the Rectory Road area.

Table 1b: Total number of requests received from Zone E displacement.

Road Name	Requests via Petition	Requests via Email or Letters
Benthal Road	63	7
Brooke Road	25	2
Maury Road	39	5
	127	14

Zone D (n) Displacement

- 6.1.13 Parking Services have received a number of requests from roads within the displacement areas of zone D(n) including a petition from

residents on Heyworth Road and requests from residents on Powell Road. As a result parking stress surveys were carried out in displacement roads to the north of zone D(n), which covered all roads from Downs Road to Kenninghall Road to the north, Rendlesham Road to the west, and Lower Clapton Road to the east.

6.1.14 This area is predominantly residential and contains one large housing estate, the Nightingale estate. There is however a small commercial presence concentrated on Lower Clapton Road. This will not be affected as it is on a red route managed by Transport for London. There is also a school (Baden – Powell School) in the area. The vast majority of roads are public highway, with only 4 roads in the area being private roads.

6.1.15 Parking stress surveys identified high levels of parking stress mainly overnight, both during weekdays and weekends. This area suffers from three main sources of parking stress; high levels of residential vehicle ownership, incoming commuters and commercial visitors, and displaced local residents and business vehicles from the nearby controlled areas. This can be observed in the Technical Assessment Report under Section 3.12 attached as Appendix 4.

6.1.16 Table 1c indicates the number of requests that have been received from the Zone D (n) displacement area.

6.1.17 The Council is therefore recommending that a Stage one consultation be undertaken in the uncontrolled roads within the Heyworth Road area.

Table 1c: Total number of requests received from Zone E displacement.

Road Name	Requests via Petition	Requests via Email or Letters
Charnock Road	0	1

Heyworth Road	26	1
Monro Way	0	1
Muir road	0	1
Newick Road	2	3
	28	7

Stamford Hill (Zone E ext. displacement and Zone G displacement).

- 6.1.18 The area described as Stamford Hill, includes roads which lie to the north of Parking Zone E ext. (Abney and Listria Park) and east of Parking Zone G (Brownswood). The northern boundary of the area is Clapton Common and the eastern boundary is Upper Clapton Road.
- 6.1.19 This area is predominantly residential (92% addresses) and contains a few large housing estates, some of which currently have parking controls. There is also a small commercial presence concentrated on Manor Road, Stamford Hill and Northwold Road.
- 6.1.20 Residents in some of the roads in this area, north of Abney Park, were previously consulted as part of the zone E ext. displacement consultation (Abney Park and Martaban Park displacement areas) completed in 2012, but were not in favour of controls being implemented on such roads. However, since the introduction of controls on some of the roads in the zone E ext. displacement area, Parking Services has received further requests and petitions for parking controls to be introduced.
- 6.1.21 Some of the roads in the area, east of Stamford Hill, have not previously been consulted before as only a low number of requests for parking controls have been received from the area before now.
- 6.1.22 Parking stress surveys carried out in these roads have identified clusters of parking stress. Of the 70 public roads surveyed, 35 (50%) were observed to have significant levels of parking stress – 80% occupancy or above at certain times of the day. Please see section 3

of the Technical Assessment Report for Stamford Hill attached as Appendix 3.

6.1.23 Table 1d indicates the number of requests that have been received from all the Zone E ext. and G displacement areas.

6.1.24 The Council is therefore recommending that a Stage one consultation be undertaken within the uncontrolled roads within the Stamford Hill area.

Table 1d: Total number of requests received from the Stamford Hill displacement area.

Road Name	Requests via Petition	Requests via Email or Letters
Alkham Road	0	1
Belfast road	0	1
Cazenove Road	0	1
Darenth Road	0	1
Kyverdale Road	0	9
Manor Road	0	2
Margaret Road	0	1
Northfield Road	0	2
Northwold Road	0	1
Oldhill Street	0	1
Osbaldeston Road	0	3
Windus road	0	3
	0	26

Zone Renaming (Parking Zones B, D, E and E ext).

6.1.25 Parking Services have identified an issue with the current naming arrangement of some of its parking zones whereby similarly named zones are causing confusion for motorists leading to the issuing of penalty charge notices.

6.1.26 The Council has also received complaints and appeals from visitors to these areas advising that the sub zone names and signs were misleading. For example, visitors who park in sub zone D(n) are

under the assumption that they can park in this area with either a zone D or a zone N visitor permit, which is not the case.

- 6.1.27 In order to resolve these issues, the Council is proposing to simplify the names of its parking zones and create unique names in order to avoid confusion.
- 6.1.28 Parking Services are proposing to rename three of its parking zones. It is proposing to consolidate sub zones D(c) and D(s) and rename this area 'zone D'. It is also proposing to rename sub zone D(n) 'zone S'. Please see Appendix 5 for maps showing the proposed area of zone D.
- 6.1.29 Parking Services are also proposing to consolidate zones B(n) and B(s) and rename this area 'zone B' and consolidate zones E and E ext. and rename this area 'zone E'.
- 6.1.30 The proposed changes will have no impact on permit holders in zones B(n), B(s), D(c), D(s), E and E ext. as the permits issued for these zones are valid in any sub zone. For example, a zone B(n) permit is valid in zone B(s) whilst a zone E permit is valid in zone E ext.
- 6.1.31 The proposed changes will have some impact on permit holders in zone D(n) as renaming this zone 'zone S' will mean that permits issued for this zone will not be valid in zone S. Communication/new permits will therefore be sent to the residents and businesses to inform them of this decision/allow them to continue parking in this zone should the proposal be approved.
- 6.1.32 The above changes will reduce intra zone parking in busy areas in the zone D area by discouraging unnecessary car use within zone D and ensure that parking zones within the Borough are compliant with the

Department for Transport recommendations on limiting the size of parking zones.

6.2 Policy Context

6.2.1 The measures proposed in this report are in line with the PEP approved by Cabinet in April 2013, and are intended to protect parking for residents and businesses. In addition, the measures will discourage unnecessary car use thereby reducing congestion which will improve road safety, emergency vehicle access, bus journey times, and local air quality by reducing CO₂ emissions. These aims are aligned with the objectives of the PEP, and the policies and strategies in the Sustainable Community Strategy 2008-2018, the Local Development Framework, the emerging Hackney Transport Strategy, emerging Hackney Air Quality Strategy and Corporate Plan 2011/12 - 2013/14. The recommendations are also consistent with the Mayor of London's Transport Strategy, the Traffic Management Act 2004 and related Government guidance.

6.3 Equalities Impact Assessment

6.3.1 The public consultation provides an open forum for all local users to have their say on whether parking controls are required. The consultation will have a positive impact on all road users (motorists, pedestrians and cyclists) by creating a safer road environment through the introduction of parking controls.

6.3.2 Residents, businesses and disabled drivers would all benefit from controls as the level of commuter parking and displacement parking would decrease and make it easier for them to park near to their home or workplace.

6.3.3 Consultation would include monitoring of equalities information, which would be used to generate a profile of the service's users and their opinions on parking controls.

- 6.3.4 Consultation would also identify the needs of residents/businesses including those with mobility needs and enable the Council to adequately provide for their needs. For example implementing disabled parking bays for residents who require them.

6.4 Sustainability

- 6.4.1 The measures proposed in this report would reduce unnecessary car use, thereby improving local air quality and reducing CO2 emissions.
- 6.4.2 The introduction of parking controls can provide safe and efficient on-street conditions, catering for servicing and loading, and utilising the available public space to maximum benefit. Parking provision can encourage less car use in order to improve traffic and environmental conditions in an area and contribute to broader transport and sustainable development objectives. Parking through restriction of spaces and/or pricing can complement a variety of measures designed to promote the use of non-car alternatives.
- 6.4.3 The introduction of parking controls also deters parking by commuters which in turn reduces the traffic volumes that would otherwise arise in the morning and evening peak periods within the displacement roads.

6.5 Consultation Methodology

- 6.5.1 The policies and recommendations contained within the PEP in relation to parking zone proposals, consultation and implementation will be applied in this instance.
- 6.5.2 The Council will carry out a stage 1 'in principle' six week consultation with all residents and businesses within the affected areas to identify if there is support for parking controls in these areas. The consultation period will be extended to eight weeks where it falls within a holiday period.
- 6.5.3 Consultation packs will be sent to all properties which will provide them with information on how they can take part in the consultation.

The pack will include a letter and questionnaire and a user friendly map which identifies the areas being consulted. The consultation documents will provide detailed information in terms of what a parking zone is and the costs associated with having controls so that residents and businesses can make an informed decision. The consultation documents will also be available on the website and includes the option of completing the questionnaire online. In addition to this, the Council will carry out a door knocking exercise as well as drop in sessions to ensure that all those being consulted are fully informed.

- 6.5.4 Consultation is often undertaken on a wider area than where it is known there are parking difficulties to take into account the potential effect of displacement parking by commuters and other motorists from the affected areas. When analysing the results, feedback is analysed on a street-by-street or part-street basis. This enables parking controls to be introduced in those roads where controls are supported and to exclude those roads where they are not.
- 6.5.5 The introduction of parking controls in one street often results in displacement parking in adjacent unrestricted streets as commuters and motorists from displacement zones move their vehicles to avoid parking controls. A second 'adjacent street' question is included in the questionnaire, which asks people if they support the introduction of parking controls if they were introduced in nearby streets. This enables them a second opportunity to be incorporated into a parking zone if their initial response opposed parking controls, but was supported by other nearby streets. The secondary question is only taken into account if an adjacent street is in favour of controls regardless of the overall result in the consultation area.
- 6.5.6 If parking controls are favoured in a particular area, and a logical boundary can be created by Parking Services, a stage two 'detailed design' consultation will be carried out to consult on the detailed

layout of bays and lines and the hours of operation of the parking controls.

- 6.5.7 If the decision is subsequently taken to implement parking controls in any areas consulted, then a statutory consultation will need to be undertaken in accordance with the requirements of the Road Traffic Regulation Act 1984 (the “1984”) and the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 (the “Procedure Regulations”).
- 6.5.8 In relation to the proposed zone renaming of Zone D (n) and consolidation of Zones D(c) and D(s), residents in the area will be advised of the proposed changes as part of a six week review consultation carried out by the Parking Services.
- 6.5.9 In order to consolidate zones B (n) and B(s) and E and E ext., all residents will receive an information letter. The notice will also be advertised in the Hackney Today newspaper to notify members of the public within 14 days of the traffic order being made.
- 6.5.10 The consolidation will have no impact on residents and businesses within the zones and does not make any change of substance.

6.6 Risk Assessment

- 6.6.1 The proposals in this report are primarily concerned with mitigating risks to the Council in terms of reputation, complaints, legal challenge and the environment. A risk assessment has been conducted but no new risks or increases to existing risks have been identified as resulting from the proposals in this report.

6.7 Costings

- 6.7.1 The Stage 1 “in principle” consultations will be met from the existing operational budget. The cost associated with the consultation is a sum in the region of approximately £15,000.

6.8 Timeline for Consultation and Implementation

6.8.1 Assuming the decision to consult is approved, the following timeline will apply:-

Table 2: Timescale for Implementation

Item	Duration	Date
Cabinet approval	n/a	22 nd June 2015
Consultation documents printed and dispatched	2 weeks	July 2015
Stage 1 consultation	6 weeks	July – August 2015
Analysis	2 weeks	September 2015
Delegated Report	2 weeks	September 2015
Summary of results delivered to residents and businesses	2 weeks	October 2015

7. COMMENTS OF THE CORPORATE DIRECTOR OF FINANCE AND RESOURCES

7.1 This report recommends a consultation to be undertaken regarding possible introduction of controlled parking in a number of zones as set out in paragraph 3.

7.2 The estimated cost of consultation is £15k and will be funded from the existing parking revenue budget.

7.3 Any decision to proceed with CPZs following this consultation will be subject to a further report. This report recommends the subsequent decision can be taken under delegated authority by the Corporate Director Health and Community Services in consultation with the Lead Cabinet Member.

8. COMMENTS OF THE CORPORATE DIRECTOR OF LEGAL, HR AND REGULATORY SERVICES

Displacement consultation

- 8.1 The stage 1 parking consultation is a non-statutory consultation intended to gauge the level of public support for the introduction of new parking controls.
- 8.2 Guidance issued by the Department of Transport on parking policy and enforcement, which the Council must have regard to when exercising its powers in respect of parking controls on the highway, provides that it is important that motorists and other road users understand a Council's parking scheme and that there should be regular communication with motorists and road users when changes are made.
- 8.3 In addition, case law provides that:
 - 8.3.1 a consultation must be at a time when proposals are still at a formative stage;
 - 8.3.2 sufficient reasons must be given for any proposal to enable intelligent consideration and response;
 - 8.3.3 adequate time must be given for such consideration and response; and
 - 8.3.4 the product of the consultation must be conscientiously taken into account in finalising any proposals.
- 8.4 The stage 1 parking consultation is the first step that the Council will undertake before any decision is taken to vary the provisions of a traffic order to introduce parking restrictions. In addition, a stage 2 parking consultation will be undertaken in respect of the detailed layout of the parking bays and lines and hours of operation of the restrictions followed by a statutory consultation on the changes required to be made to the traffic management order to give effect to such restrictions.
- 8.5 It is clear therefore that the proposal to introduce new parking controls are still at a formative stage and this legal requirement is therefore is satisfied.

- 8.6 It is stated in paragraph 6.5.3 of this report that detailed information will be included in the consultation packs so that an informed decision can be taken. Where sufficient reasons are also included in the packs regarding the proposals it is likely that this further legal requirement will be satisfied.
- 8.7 If residents/businesses are given at least six weeks to consider the proposals in the Stage 1 consultation as stated in paragraph 6.5.2 of the report, this should provide adequate time for consideration and responses to be given and so it is likely that this legal requirement will be satisfied.
- 8.8 Where representations received in response to the consultation are considered in finalising any proposal, in addition to the other legal requirements having been satisfied, it is likely that the consultation will be lawful.

Renaming controlled parking zones

- 8.9 The Council may under section 45 of the 1984 Act designate parking places on highways for various classes of vehicles or vary such places including the renaming of controlled parking zones.
- 8.10 Before a traffic order designating a parking place is made or varied the Council must consult and publish notification of the proposed order/amendments in accordance with the Procedure Regulations.
- 8.11 In determining what parking places are to be designated or varied under section 45 of the 1984 Act, the Council shall consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the Council shall have regard to the need for maintaining the free movement of traffic, reasonable access to premises and the extent to which off-street parking is available in the neighbourhood.

8.12 In addition, the Council shall secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

Power to authorise the displacement consultation and renaming of controlled parking zones

8.13 The exercise of powers contained in the 1984 Act relating to parking functions are executive functions.

8.14 Consulting on new parking controls will facilitate the discharge of the Council's parking functions under the 1984 Act, and so is authorised under section 111 of the Local Government Act 1972.

8.15 Consulting on new parking controls to facilitate the discharge of the Council's parking functions under the 1984 Act and introducing controlled parking zones which the renaming of zone D(n) to zone S constitute is a decision to be taken by the Mayor and Cabinet in accordance with the PEP and the Mayor's Scheme of Delegation.

APPENDICES

Appendix 1 – Map of displacement areas

Appendix 2 – Technical Assessment Report Kings Park and Lea Bridge Area

Appendix 3 - Technical Assessment Report Stamford Hill Area.

Appendix 4 - Technical Assessment Report Powell Road Area.

Appendix 5 – Maps of proposed changes to Zone D.

9. BACKGROUND PAPERS

9.1 In accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012 publication of Background Papers used in the preparation of reports is required.

None

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