Hackney

Cllr. Caroline Selman,
Cabinet Member for Community Safety,
Policy and the Voluntary Sector
London Borough of Hackney
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28 July 2020

Dear Ngozi

I am writing further to our meeting on Tuesday 21 July, subsequent exchanges, including my email of 24 July, your email of 25 July and the email from Mark Nathan on your behalf yesterday. This letter seeks to capture and set out in writing what was discussed at that meeting, respond to the asks you have put to us and set out clearly the key next steps.

[redacted] Clapton[redacted]

Background

At the meeting we sought to set out the background to the case to date to make sure everyone was clear. It was noted that Sistah Space had raised concerns about safety at [redacted] Clapton [redacted] something that was first raised with me in June 2019 (first by a Council officer who had visited the premises the day before and then by an email from Sistah Space to myself and others) although I recognise these issues pre-date my involvement. These included concerns about the building being cold, damage to the windows and door (preventing them from closing or locking properly), faulty electrics, there being only one exit and falling fixtures.

Later that month, officers visited the space, and over the following months worked with you to agree a scope of works to address those concerns. On 8 November, Cllr Williams, Cllr Rennison and I met with you at [redacted] Clapton where we discussed whether there were options for interim / decant space for Sistah Space over the Christmas period while works were ongoing (see email from me dated 17 November summarising the actions from the meeting, and noting that I had raised this with Property Services). Officers subsequently worked to try to identify potential temporary space and later that month identified [redacted] Mare Street that had recently become free for a temporary period after the previous tenant moved out. On 6 December, the Council wrote to you to confirm the arrangements. This included noting that:

- The Council had recently taken back possession of [redacted] Mare Street from a managed workspace operator and that the Council's plan was to find a new commercial tenant for the whole property.
- That it was unlikely that a new tenant would be found before February / March 2020 which is why we were pleased to say there was an opportunity for Sistah Space to use some of the space in the building on a very short-term basis.
- Confirming that the space would be available until 31 January 2020, while noting it was likely that Sistah Space could use it to after this date until the works at [redacted] Clapton [redacted] were complete (while noting there was a small possibility that might need to be earlier if the works took longer to complete or if a tenant for [redacted] Mare Street was found quickly).

On 9 December Sistah Space replied to that email noting Sistah Space were *"happy to sign the licence [for [redacted] Mare Street] with a termination date of no later than 1 March 2020 to reflect [Sistah Space's] assessment of the date of completion of the works to [Sistah Space's] Clapton office".*

Where we are now

You made it clear at our meeting last week that Sistah Space will not be moving back into [redacted] Clapton [redacted] because you don't consider the property to be safe for your clients, volunteers and staff.

I very much recognise that it is important for you and your clients to both feel safe and more importantly be safe, and it is one of the reasons I and my colleagues were so supportive of the works undertaken at [redacted] Clapton [redacted], including the temporary decant, while Sistah Space continued to look for alternative longer term space. These included, at Sistah Space's request,:

- A new secure front door and frontage
- An internal partitioned room for private meetings
- A new rear door to provide an emergency escape

- An upgrade to the heating and electrical systems
- New flooring
- New toilet facilities
- New kitchenette
- Upgraded internal and external lighting

As you will recall, these works were agreed and designed with Sistah Space, including the layout of space, materials and colour schemes, with the Council's project team holding a number of meetings with Sistah Space representatives and engaging in regular correspondence over several weeks to ensure the final specification was agreed by Sistah Space.

As set out in previous correspondence, and at the meeting, the Council has been really keen to work with you to understand and seek to address any remaining issues further, including looking at further improvements, such as installing roller shutters, so that you can close them electronically while you are in the property, intruder and panic alarms, and CCTV.

I also very much recognise the sensitivities and considerations about moving during the coronavirus pandemic, in particular given the disproportionate impact of the virus on the communities you serve. This is why the Council and the Mayor made clear it would extend the current rent-free temporary arrangement at [redacted] Mare Street until the end of July and would seek to ensure that any move would be on condition of it being safe to do so, based on the latest government and Public Health England advice in relation to Covid-19. Both our Health and Safety Team and Public Health Service remain happy to work with you on how this can be done safely, taking account of the latest Government guidance.

I recognise that Sistah Space has broader concerns about the property itself in terms of the nature of the space and its location. We have tried as a Council to be clear that we are keen to work with Sistah Space to support you in trying to identify alternative space whilst also seeking from the outset to manage expectations about our ability as a local authority to provide that solution.

As explained at the meeting on 21 July and previous meetings, none of our other VCS properties (i.e. spaces we are able to rent at a subsidised VCS rent, as opposed to commercial, rent) are vacant. Further, should a (subsidised) voluntary sector space become available, we would be required to follow an open, transparent process to ensure accountability to the broader voluntary sector.

As set out at the meeting, my concern is therefore that should you determine that you do not want to return to [redacted] Clapton [redacted], and should the proposal for [redacted] Mare Street prove not to be a possibility, it will be necessary for Sistah Space to seek alternative accommodation through other routes. We are committed to continuing to

work with you to support you to continue to use this space should you change your mind, but recognise that ultimately this is a decision for Sistah Space and your trustees to make.

I note that Sistah Space has also indicated in recent correspondence that you are seeing additional clients during your time at [redacted] Mare Street. I understand that the Council's Domestic Abuse Intervention Service has previously written to you (as with other community providers of domestic abuse service), encouraging you to join the regular meetings with third sector domestic abuse agencies, in order to collectively understand challenges around demand and identifying any unmet need. As set out in those exchanges, if you are able to provide detail about the numbers of clients you are currently working with I can pass this on to the team in order to work with you further to ensure need is being met.

I also recognise that while Sistah Space is not a refuge provider, that you have previously raised considerations in relation to refuge provision. In response to this, my colleague Cllr Rennison sought to link you in to the longer term pan-London work on coordination of refuge provision as an opportunity to try to address any gaps, which I would encourage you to engage with.

Sistah Space's proposal to take a commercial lease of [redacted] Mare Street

During our meeting, you made it clear that Sistah Space would like to take a lease of part of [redacted] Mare Street on commercial terms. In response I have raised this request with the Property Services team to consider.

They have explained that the space is not being let by the Council on a floor by floor basis. As was set out in the email of 6 December, the Council's intent from the outset has been to let [redacted] Mare Street to a single commercial tenant (similar to the arrangement that was in place before the building became temporarily vacant in November), who would then be responsible for managing that space as a whole, including in terms of making decisions about any potential sub-tenants.

As set out at the meeting I have concerns about a domestic abuse charity, working with some of the most vulnerable in Hackney, sharing space in a building with numerous other private sector organisations who in all likelihood may have no sensitivity to Sistah Space or the needs of your clients. However, further to your request, Property Services will ensure the successful party is aware that Sistah Space would like to discuss options directly with them to remain in the building. They have asked me to make clear however, that we have been advised by our lettings agent that the chances of a prospective tenant agreeing to this are low due to the challenges of

managing the space in a safe way in these circumstances, i.e. managing the safety of vulnerable women in a shared space.

Licence and signing in at [redacted] Mare Street

As explained at the meeting, in the meantime, it is essential that you confirm in writing that Sistah Space agrees to take a new licence of the space you are using at [redacted] Mare Street. The licence would be on the same terms as the original licence, which you signed on 11th December 2019 with an extended end date of 31st August 2020. Further to Mark's email yesterday, I have asked the Property Services team to resend a copy of this license for ease of reference. The licence needs to be agreed to protect both Sistah Space and the Council since, without it, there is no legal basis for your continued use of [redacted] Mare Street, it creates uncertainty about who would be responsible, for example, in the event of a health and safety issue arising and I understand it may well have implications for your insurance and indeed the Council's own legal responsibilities. The need to return this licence agreement has been made explicit to you repeatedly most recently in an officer led email on 8th July and also in my email on Friday 24th July.

I also need to continue to ask you to ensure that you and other Sistah Space staff and volunteers sign in when entering the building and that when accompanied by a guest you state 'plus guest' in the signing in book. As set out in previous correspondence, this is largely for health and safety reasons i.e. so that there is an easily accessible record of who is in the building, in the event of a fire or other emergency. Everybody who accesses the building is required to sign in and, as I understand it, only Sistah Space is currently refusing to do so. This is now also in place for Council buildings including the Town Hall and is even more essential now we all have to support NHS Test and Trace.

Both of these steps (agreeing the licence and signing in) are vital if Sistah Space is to continue to use space at [redacted] Mare Street for the time being. Allowing you to continue to use the building without a current licence and while you are not following the signing in procedure, creates an unacceptable risk for both Sistah Space and the Council.

Grant Funding

At the meeting, we also noted the following funding amounts that were awaiting payment to Sistah Space subject to further information being provided by Sistah Space:

- A further £4,808.28 of funds raised via the Speaker's charities fundraising appeal

- The £5,000 Vulnerability Review Main Grant

I understand that you have now sent across your bank details in relation to bullet 1, and that this has now been transferred to Sistah Space's account, bringing the amount raised for Sistah Space to date to £6,392.73 which I hope is useful in supporting your work.

In relation to bullet 2, I note Mark's email today asking for further information in relation to this, and have asked that this be sent across to you.

Summary of immediate next steps

Further to the above, the most immediate key next steps are as follows:

- Hackney Council Property Services will ensure that the future lead tenant for [redacted] Mare Street is aware that Sistah Space would like to discuss options directly with them to remain in the building.
- Sistah Space to confirm in writing whether you agree to extend your license for [redacted] Mare Street to ensure you can continue to remain in the building in the meantime.

I want to assure you that the Council wants to continue to support Sistah Space, but we do need you to engage with officers. Final property agreements aren't negotiated by me or indeed the Mayor, though as representatives we can raise concerns on your behalf as we all consistently have. We don't expect you to be resourced in matters of leases, licences and property, and we know your time is extremely limited, so I believe officers are making this as "light touch" as they safely can, but there are still things which you have to do as a responsible occupier, to make things happen in a way that keeps us all within the law, keeps people safe, and keeps you confident that you have a stable accommodation situation. This is the same expectation the Council has for any other charity occupying its buildings.

I hope that together, we can resolve this dispute in the best interests of all of us, allowing you to continue your valuable work.

Yours sincerely,

Cllr Caroline Selman
Cabinet Member for Community Safety,
Policy and the Voluntary Sector

Cc:
Cllr Bramble, Deputy Mayor and Cabinet Member for Education, Young People and Children's Social Care
Cllr Carole Williams, Cabinet Member for Employment, Skills and Human Resources