

Hackney *Planning Watch*

Response to Hackney Council on the proposal for the establishment of a Neighbourhood Forum covering the wards of Springfield, New River, Lordship and Cazenove

January 2013

Introduction:

These are our objections to the submitted proposal to formally designate the four wards: Springfield, New River, Lordship and Cazenove as a ‘Neighbourhood Forum’.

As we understand it a group describing itself as the ‘Stamford Hill Neighbourhood Forum’ is seeking designation of four wards in Hackney (Springfield, New River, Lordship and Cazenove) as a ‘Neighbourhood Forum’.

Hackney Planning Watch wishes to object in the strongest possible terms to this proposal.

Although it will be evident from the four wards listed, the area proposed by the ‘Stamford Hill’ Neighbourhood Forum covers a much wider area than Stamford Hill and does in fact include Stoke Newington, Clissold Park and Upper Clapton.

Hackney Planning Watch has a long history as a community organisation in the area. It was established over 15 years ago as a community group composed of local residents concerned about planning issues in Hackney, particularly the unlawful construction and the failure of the Council to deal properly with enforcement.

In the last year some of our members have attempted to help build a cross-community alliance in order to develop a genuine consensual approach to the difficult planning issues in the area. These include, as well as enforcement issues, the lack of effective management of open space, protection of the environment, particularly in relation to drainage and tree preservation, and inadequate social infrastructure to meet the needs of the population. These problems are not acknowledged in the current proposal and no effective solutions are proposed. Moreover, we believe that the proposed body is both partial and incapable of responding effectively to these problems.

We set out a summary of our objections in the next section.

Summary of objections

The main reasons for our objection are as follows:

1. This proposal fails to acknowledge the serious planning problems in the area or to offer any effective solutions to them.
2. The proposed body is inconsistent with the purpose of the Localism Act 2011.
3. No convincing argument has been made as to why these four wards constitute a neighbourhood. In addition there is no common 'town centre'. Moreover, a Neighbourhood Forum established in the proposed area would have an impact much wider than Stamford Hill, it would also include Stoke Newington, Clissold, and Upper Clapton.
4. The establishment of such a body would be inconsistent with the Council's obligations under the Equality Act 2010.
5. We view this proposal as an attempt by local Conservative and Liberal Democrat politicians to manipulate existing ethnic and religious divisions for their own short-term advantage and to the disadvantage of the wider community.
6. The proposal can be seen as an attempt to revive the Stamford Hill Neighbourhood Committee that operated in the area until 2002 and carried out widespread abuse of the planning system. Key members behind the current proposal were involved in this committee.
7. There is no community consensus about the establishment of a neighbourhood forum and the management body in this proposal is wholly unrepresentative of the diversity of the area.
8. The proposed body has no history or tradition as a community organisation. It is led by current or former councillors from minority parties and reflects party political ambitions rather than an interest in the views of the local community.
9. There are serious questions as to the fitness of some of those involved to exercise public functions. In particular, the secretary of the

organisation, Isaac Liebowitz, was jailed for six months in 2001 for rigging a council election in Hackney.

We elaborate on these points in the next numbered sections.

1. This proposal fails to acknowledge the serious planning problems in the area or to offer effective solutions to them.

There are important planning problems in the area that require a serious search for genuine cross-community consensus in order to maintain the character of the built and natural environment while encouraging developments aimed at meeting the needs of the diverse population.

It is not possible to fully understand the concerns of Hackney Planning Watch without addressing some of the contested history of planning in this part of the borough. Different sections of the community have different priorities in relation to planning. These differences need to be resolved through a genuine dialogue and creative long-term engagement. Instead some politicians have sought to exploit these differences for their own short-term gains.

Stamford Hill is home to one of the UK's largest Ultra-orthodox Jewish communities, often referred to as Charedi. The community is a significant minority of the local population. According to the 2011 Census, those identifying their religion as 'Jewish' (which includes the Charedi community as well as the wider reform and secular Jewish communities) make up 19 per cent of the population in the four wards proposed as the Stamford Hill Neighbourhood Forum (20 % in New River, 13% in Cazenove, 23% in Springfield and 17% in Lordship). The community has a high birth rate and consequently tends to have large families and is reportedly growing at a rate of 4 per cent a year¹. For religious reasons members of the community desire to live within walking distance of their place of worship. The combination of a high birth rate and a desire to remain in a relatively tightly defined geographic area inevitably leads to pressure for development. It is precisely to manage such pressures that effective planning policy is essential.

As well as housing for the Charedi community, including for an expanding population, there is a need to provide adequate social infrastructure. The Charedi community is not homogeneous, but consists of a number of different groups, or sects, each of which seeks to have its own synagogues and schools. This has led to frequent proposals to convert existing residential dwellings into schools and synagogues, with the inevitable increase

¹Daniel Vulkan and David Graham (2008) Population Trends among Britain's Strictly Orthodox Jews Report report of the Community policy research group. Board of Deputies of British Jews.

in noise and disturbance that comes from community facilities not properly planned in respect of their relationship to residential properties. At the same time, these schools do not provide a suitable environment for young children.

We recognise the legitimate desire of the community to develop the infrastructure that is needed, and believe that this can be done within existing planning rules if there is a genuine cross-community commitment to finding solutions. In particular we are conscious that the on-going redevelopment of the Woodberry Down estate provides a once in a lifetime opportunity to facilitate the building of purpose-built schools, facilities for the care of the elderly, synagogues as well as housing that is suitable for larger families.

However, a minority of individuals (often property developers) in the Charedi community have at times adopted an attitude to existing planning rules and regulations, which has caused friction with their neighbours. There are numerous examples of over-development including the complete in-fill of back gardens and the development of additional floors and loft conversions without the necessary planning permission. Such developments, while clearly providing additional living space, often impinge on the amenity of neighbours and have adversely impacted on the quality of the townscape. These over-developments also threaten the natural environment through their impact on green space, the preservation of trees and drainage.

Of particular and widespread concern in Stamford Hill is the issue of loft extensions where some homeowners (and property developers) have built excessively large and unsightly extensions and the illegal conversion of residential property into schools and synagogues. This has caused upset and friction with neighbours who quite reasonably have requested extensions comply with planning regulations.

It is important to state at this stage that despite attempts from both within and without the Charedi community, to portray it as homogeneous, it is (as is every other community) heterogeneous. There are divisions within the community over planning regulations. Nothing in this document should be seen as suggesting that there is a single Charedi viewpoint, and indeed Hackney Planning Watch has on numerous occasions received both practical support and requests for support from within the Charedi community. The problem is, expressly, not the Charedi community. There are, though, attempts by political parties to manipulate a community that faces real issues

and has legitimate concerns about the development of a community infrastructure to meet the on-going growth in their community's numbers.

Hackney Planning Watch believes that the way forward in Stamford Hill is for genuine community-based dialogue over the competing concerns. We have participated in such a dialogue over the last year, which included groups such as Interlink (an umbrella organisation for Orthodox Jewish voluntary organisations) and leading Rabbis in the Charedi community. There was also an attempt, in part brokered by the Council, to have discussions with the organisation that now purports to be the Stamford Hill Neighbourhood Forum. The SHNF provided no consistent participation in these meetings, which finally broke down when Conservative Councillor Linda Kelly (Chair of the proposed Stamford Hill Neighbourhood Forum) walked out of a meeting, describing those she disagreed with – including members of Interlink (a membership organisation for Orthodox Jewish voluntary organisations) – as ‘fascists’.

2. The proposed body is inconsistent with the purpose of the Localism Act 2011

The purpose of the Neighbourhood Planning legislation is explained in a government publication: ‘A plain English guide to the Localism Act’ explains:

Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live. The Act introduces a new right for communities to draw up a neighbourhood plan.

Neighbourhood planning will allow communities, both residents, employees and business, to come together through a local parish council or neighbourhood forum and say where they think new houses, businesses and shops should go—and what they should look like.

These plans can be very simple and concise, or go into considerable detail where people want. Local communities will be able to use neighbourhood planning to grant full or outline planning permission in areas where they most want to see new homes and businesses, making it easier and quicker for development to go ahead.

The proposed Stamford Hill Neighbourhood Forum does not meet this aspiration. The documents submitted with the application are vague and put forward no specific planning proposals that can allow its true aims to be

judged.

The proposal is especially alarming because the proposed Forum could set local planning rules. The purpose of the localism legislation was to set up bodies that could revitalise communities and where a fairly uniform (usually rural) community could set its own rules without being bound by a wider authority. In a diverse urban situation, such as north Hackney, a forum that does not have support from all sections of the community would be in a position to impose policies which could be damaging to other groups and individuals within the area.

Furthermore, the group has not been open and inclusive to all local communities or provided them with genuine opportunities to participate and influence the future of the place where they live. The group does not publicise when its meetings are held or how people can get involved (except by joining). Attempts to contact the Forum through their publicised email account led to the message bouncing back with the following message: 'Delivery to the following recipients failed'.

This group has shown no intention of listening to local people. They have not tried to canvass the views of the community: there has been no on-line forum for the community to participate in and it has not held any public exhibitions. When Hackney Planning Watch proposed to the SHNF that there needed to be widespread consultation with Hackney's diverse communities this was rejected out of hand.

It is clear that the group has no intention of representing the interests of the wider community (including those within the Charedi community who are seeking to build consensus).

3. There is no convincing argument made as to why these four wards constitute a neighbourhood

The only justification given in the documents for the inclusion of the proposed four wards is that they once constituted the 'Stamford Hill Neighbourhood Committee'. The wards themselves have quite different profiles, in terms of ethnicity, religion, housing tenure and income. There is no obvious neighbourhood centre. Indeed many people in Lordship and Cazenove may see their neighbourhood centre as Church Street, while many in Springfield or New River would see the crossroads at Stamford Hill as providing that function.

We believe that the real reason for defining this area as the proposed neighbourhood is simply because it includes all but one of the Conservative or Liberal Democrat councillors on the Council. In other words it is an attempt by the coalition partners on the council to create a 'power base'. The only councillor involved in the proposal who does not hold a seat in the four wards is Councillor Linda Kelly who was elected in Leabridge as a Labour councillor, but subsequently switched her allegiance to the Conservative Party. Despite representing a ward outside the proposed area, she has been appointed Chair of this the proposed body.

4. The establishment of such a body would be inconsistent with the Council's obligations under the Equality Act 2010

The council has a specific duty under s149 of the Equality Act to 'have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.'

In other words, and in this context, it must seek to eliminate racism and seek to promote good relations between the different ethnic and religious communities within the borough.

Handing control of planning to this group will not in any way 'foster good relations' between people of different backgrounds within the community. Hackney Planning Watch believes that the project is designed to benefit the political interests of a handful of politicians at the risk of increasing tensions in the area over contentious planning issues. The greater this tension, the more these politicians gain by characterising themselves as the champions of one sector of the community.

The group itself seems to have a political agenda unrelated to any attempt at being representative of the whole community. A Facebook page sponsored by the group proposing the SHNF hosted the following graphic, until Hackney Planning Watch questioned its meaning:



While the true meaning of the doctored photograph is hard to define, it clearly suggests that a 'true face' of the area, (specifically white girls) has been obliterated and needs to be 'brought back'. This appears to be a crude appeal to some form of ethnic essentialism (and as so often in such appeals, it relies on some mythical vision of an earlier period).

Ethnic essentialism is at odds with the Council's obligations as a public body to promote good relations between people from Stamford Hill's diverse and multicultural communities.

5. We view this proposal as an attempt by local Conservative and Liberal Democrat politicians to manipulate existing ethnic and religious divisions for their own short-term advantage and to the disadvantage of the wider community

Over the years a number of opportunist councillors have exploited the ethnic and religious divisions over planning in the area in order to seek to build electoral support.

These disputes were compounded in the 1990s when Hackney's 'hung' council set up a 'Stamford Hill Neighbourhood Committee' with delegated planning functions. Members of that committee (almost exclusively from minority parties within the council) repeatedly granted planning permission to developments that were in conflict with the council's Unitary Development Plan. In effect, opposition councillors abused their planning powers on the neighbourhood committee to create a 'planning free-for-all', which was useful to them electorally in securing votes from sections of the Charedi community.

In 1999 Hackney Planning Watch called a public meeting at Stoke Newington Library, about the corruption on the Stamford Hill Neighbourhood Planning Committee. The then leader of the Conservative Group on the Council (Eric Ollerenshaw) had to be asked to leave the meeting after he repeatedly heckled the speakers. Throughout the meeting Isaac Liebovitz (who was then a Conservative Councillor but was on bail awaiting trial for electoral fraud) tried to intimidate residents from speaking by seeking to videotape and record everyone who spoke.

The Stamford Hill Neighbourhood Committee was disbanded in 2001 after two events.

- The jailing of two councillors (Conservative Isaac Liebovitz and Liberal Democrat Zev Lieberman) for a systematic electoral fraud (neither would have been 'elected' as councillors had they not manufactured postal votes from fictitious residents).
- Local residents supported by Hackney Planning Watch, successfully took to judicial review of a particularly blatant abuse of powers by the committee.

While a number of Conservative councillors (assisted to varying degrees by the local Liberal Democrats) have been actively seeking to manufacture an ethnically based electoral base around the issue of planning, the Labour Party has also had a patchy record on the issue.

In 2006 the Labour administration proposed to declare an 'area of exception' in Stamford Hill such that normal planning rules would not apply. This could be seen as an attempt to undermine the 'Unique Selling Point' of the Conservative and Liberal Democrats in the area, through allowing developments that would not be tolerated in the rest of the borough. The move was defeated after a major mobilisation of opinion by local people. This included a meeting of 180 people at the Stamford Hill library, involving both Charedi and non-Charedi residents. Despite the strength of feeling expressed by all in attendance, this led to a greater understanding of each other's perspectives.

It is clear that the group has no intention of representing the interests of the wider community (including those within the Charedi community who are seeking to build consensus).

6. The proposal can be seen as an attempt to revive the Stamford Hill Neighbourhood Committee that operated in the area until 2002 and carried out widespread abuse of the planning system.

The Stamford Hill Neighbourhood Committee was responsible for widespread abuse of the planning system. The proposal for the SHNF refers explicitly to the Stamford Hill Neighbourhood Committee and its secretary, Isaac Liebovitz, was active in that body, as were others on the committee of SHNF. Were this proposal to be accepted, the area would be threatened with similar divisive policies that created serious damage to the natural and built environment and heightened community tensions.

7. There is no community consensus about the establishment of a neighbourhood forum and the proposed body is wholly unrepresentative of the diversity of the community.

The documents produced by the Stamford Hill Neighbourhood Forum claim there is widespread interest in the establishment of a body outside council control. However, they claim that just 40 people responded to an advert in the Hackney Gazette proposing the Forum. There has been no process of consultation to seek the views of wider sections of the population of the area and as outlined above, it has proved difficult to contact the organisation.

The population in the proposed area is highly diverse in terms of ethnic and religious composition and in relation to the range of interests, experience and activities of its residents. There are numerous community organisations active in the area, working on, for example, employment, conservation, environmental, recreational and educational issues. None of these organisations is represented on the committee of the SHNF.

8. The proposed body has no history or tradition as a community organisation, but is instead a 'front' for current or former councillors from minority parties

The proposed body is not a community group. It is a front organisation for the local Conservative Party and their junior partners, the Lib Dems, which for purely party political advantage is seeking to impose its own policy on the community.

Hackney Planning Watch has been in existence for 15 years, while the proposed SHNF has been established with the sole purpose of gaining public

powers as a result of the Localism Act, 2011 and is led by current and former Conservative and Liberal Democrat councillors. There is no 'diversity' of opinion about different needs and aspirations of different sections of the community, no political diversity and from the poorly reproduced pictures on their website, it looks as if there was precious little ethnic diversity.

According to their website this is a photo of the forum membership:



Their intention can be gathered from a report from one of the SHNF's meetings: 'it was agreed that the real power that the Forum had was in relation to local authority planning decisions – Planning Officers would have to take regard of the Neighbourhood Plan when making decisions' (reported from SHNF committee minutes dated 28 August 2012).

Amongst the Committee are former or present Conservative councillors: Christopher Sills, Linda Kelly, Matthew Coggins, Isaac Lebovitch and Shuja Sheikh (The chair, Linda Kelly was elected as a Labour Candidate, but 'switched' to the Conservatives).

9. There are real questions over the suitability to exercise public functions by those involved: in particular the Secretary of the organisation has been jailed for electoral fraud.

The Secretary of the proposed forum who is listed as Isaac Lebovitch is in fact 'Isaac Liebowitz' the former conservative councillor jailed for his part in the country's largest electoral fraud conspiracy.

Report from the Daily Telegraph 2001:

'Isaac Liebowitz, a Conservative, and Zev Lieberman, a Liberal Democrat, raised enough bogus votes to change the course of the 1998 municipal elections in Hackney, east London, by robbing Labour of a stronghold ward. The men created non-existent voters, registered electors at addresses that did not exist and tricked elderly women into signing away their vote.

Special Branch officers, who spent 18 months investigating the matter, described it as 'the largest attempt to subvert the democratic process' that they had come across. Judge Jeremy Connor sentenced Liebowitz, 35, to six months in jail and Lieberman, 29, to four months at Wood Green Crown Court, north London, yesterday'.



A photo of their committee, taken from their website, (with Secretary Isaac Liebowitz standing centre).

Isaac Liebowitz's record raises questions about his suitability to be secretary of a Neighbourhood Forum that will exercise public functions with responsibility for input into planning issues in the north of the borough.

The 'official' Conservative member of the committee is Cllr Steinberger, an active supporter and defender of over-development in North Hackney. He was recently the only member of the Council's scrutiny committee who failed to vote to censure fellow Conservative councillor, Benzion Papier, after a

blatant breach of the rules relating to declaring interests in planning issues (as required by law). The entire Standards Committee found the code of conduct had been breached, apart from Cllr Steinberger.

According to the Hackney Gazette:

‘Cllr Benzion Papier was found to have breached the councillors’ Code of Conduct by Hackney Council’s Standards Committee – some of whom expressed concern a similar situation could happen again after he did not apologise.

The code exists to ensure councillors do not abuse their position, and governs disclosure of interest and withdrawal from meetings where councillors have relevant interests.

At a planning subcommittee in January, New River ward Cllr Papier denied having an interest in a controversial application to build an Orthodox Jewish boys school in Stamford Hill, and remained in the meeting while it was being discussed.

Planning officers had recommended the application was refused, but Cllr Papier was one of 10 councillors who signed a petition before the meeting to ensure the application for Torah Veyirah of Satmar boys’ school in Amhurst Park was heard before the committee.

Cllr Ian Sharer who had also signed the petition declared a conflict of interest and left the room.

However Cllr Papier denied having an interest when asked directly by Chair of the planning sub committee.’

http://www.hackneygazette.co.uk/news/hackney_councillor_breached_the_code_of_conduct_1_1682513

Cllr Papier is also a committee member of the proposed Neighbourhood Forum.

Planning is an intensely contested issue in the area, and to devolve any responsibility to an unelected, unrepresentative and evidently partial body is an affront to democracy.

Conclusion

For the reasons outlined Hackney Planning Watch asks the council not to progress the application of this group to become a neighbourhood forum, but instead to work with Hackney Planning Watch and leading members of the Charedi community who have been actively seeking to develop a cross-community forum based on mutual respect and a commitment to finding solutions that work for the whole community.

The new powers may provide a way forward for a genuine neighbourhood forum to establish principles that allow the diverse communities of Stamford Hill to develop and grow. Handing those powers over to the applicants involved with the Stamford Hill Neighbourhood Forum would do the exact opposite.

Hackney Planning Watch January 2013.