

**MINUTES OF THE CABINET
HELD ON**

13 September 2018

7.30 - 9.05 pm

PRESENT

Committee Members

Councillor Mark Ingall, Leader of the Council
Councillor Waida Forman, Deputy Leader and Portfolio Holder for Equality and Diversity
Councillor Mike Danvers, Portfolio Holder for Resources
Councillor Eugenie Harvey, Portfolio Holder for Community and Wellbeing
Councillor Danny Purton, Portfolio Holder for Environment and Member
Councillor John Strachan, Portfolio Holder for Regeneration
Councillor Emma Toal, Portfolio Holder for Economic Growth
Councillor Mark Wilkinson, Portfolio Holder for Housing

Other Councillors

Councillor Simon Carter
Councillor Joel Charles
Councillor Tony Edwards
Councillor Michael Hardware
Councillor Andrew Johnson
Councillor Stefan Mullard
Councillor Chris Vince

Officers

Brian Keane, Managing Director
Dianne Cooper, Planning and Building Control Manager
Simon Freeman, Head of Finance and Deputy to the Managing Director
Jane Greer, Head of Community Wellbeing
Andrew Murray, Head of Housing
Colleen O'Boyle, Interim Head of Governance
Michael Pitt, Environment and Licensing Manager
Adam Rees, Governance Support Officer

38. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Lanie Shears.

39. **DECLARATIONS OF INTEREST**

None.

40. **MINUTES**

RESOLVED that the minutes of the meeting held on 19 July 2018 are agreed as a correct record and signed by the Leader.

41. **MATTERS ARISING**

None.

42. **WRITTEN QUESTIONS FROM THE PUBLIC**

The question, together with the answer, is appended to the minutes.

43. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

44. **PETITIONS**

None.

45. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

46. **RECENT DECISIONS TAKEN BY THE LEADER, DEPUTY OR PORTFOLIO HOLDER(S)**

None.

47. **LOCAL DEVELOPMENT PLAN - SUBMISSION TO PLANNING INSPECTORATE FOR EXAMINATION UNDER REGULATION 22**

Cabinet received a report which recommended that Full Council that the Local Plan is approved for submission to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended).

Proposed by Councillor Danny Purton (seconded by Councillor Mark Ingall) it was:

RESOLVED that Cabinet recommends to Full Council that:

- A** The Harlow Local Development Plan Pre-Submission Publication (2018) be formally approved for Submission to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended).
- B** The updated Local Development Scheme (attached as Appendix G to the report) be approved.
- C** Delegated authority be given to the Managing Director, in consultation with the Leader of the Council and the Portfolio Holder for Environment, to make and approve any minor and

inconsequential amendments to the documents to be submitted in support of the Harlow Local Development Plan Pre-Submission Publication (2018) arising from the completion of the ensuing technical studies prior to the Public Examination.

48. **JOINT FINANCE AND PERFORMANCE REPORT, QUARTER 1 2018/19**

Cabinet received a report which set out both the Council's financial performance, along with its performance against its own performance indicators for the first quarter of 2018/19.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Ingall) it was:

RESOLVED that:

- A** Cabinet acknowledged the projected outturn position set out in sections three and four of Appendix A to the report for the first quarter (April – June) of 2018/19 as follows:
- i) An adverse variation on controllable budgets of £109,000 representing 0.18 percent of the gross General Fund Budget.
 - ii) A total projected underspend of £429,000 representing - 0.71 percent of the gross General Fund Budget.
 - iii) The Council performed on or above target for 47 out of 48 (98 percent) of its quarterly performance indicators.

49. **HOUSING REVENUE ACCOUNT, QUARTER 1 FINANCE REPORT 2018/19**

Cabinet received a report which provided an update on the Housing Revenue Account (HRA) for the first quarter of 2018/19 and asked that Cabinet variances in the HRA budget and the forecast of the HRA and Major Repairs Reserve.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that Cabinet:

- A** Noted:
- i) An unfavourable variation against the approved Housing Revenue Account (HRA) operational/controllable budget of £956,000 representing 1.8 percent of the gross HRA budget.

- ii) An unfavourable non-operational variance of £4,104,000 representing 7.72 percent of gross HRA budget which includes adjustments to capital programme financing as a result of the carryovers from 2017/18 and other adjustments.

B Noted the forecast balances at 31 March 2019, of £5,304,000 in respect of the HRA and nil in respect of the Major Repairs Reserve (MRR).

50. **CAPITAL PROGRAMMES, QUARTER 1 FINANCE REPORT 2018/19**

Cabinet received a report which provided an update on the Council's Housing and Non-Housing Capital Programmes, to approve a revised Housing Capital Programme for 2018/19, and to approve five business cases.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that Cabinet:

A Noted the progress on the delivery of the Council's Housing and Non-Housing Capital Programmes as at Quarter 1 (1 July 2018) as follows:

- i) Housing Capital Programme –forecast outturn of £24,551,000 (original estimate £18,804,000).
- ii) Non-Housing Capital Programme – forecast outturn of £14,727,000 (original estimate £15,250,000).

B Approved:

- i) Additional expenditure of £11,000, from the Non-Housing Capital Programme, within the Town Park Inclusive Play scheme (approved in 2018/19) for a new footpath and footpath improvements. The additional expenditure is fully grant funded by the County Council.
- ii) A business case for the installation of new boilers and system controls at Abercrombie Playbarn, £25,000, funded from the approved Non-Housing Capital Contingency Budget.
- iii) A change to the business case to upgrade council websites (approved in February 2017). It is recognised that £40,000 of urgent works are required to upgrade the main Council website, to be funded in part from the approved budget of £20,000.

- iv) An additional £10,000 from the Contingency budget to support the installation of new boilers and system controls at 2 and 2A Wych Elm. The current approved budget in the capital programme for this work is £15,000.
- v) A revised current budget in the Non-Housing Capital Programme of £14,727,000 in line with the carryovers, adjustments and additional funding detailed in Table 4 of the report.

51. **ANNUAL TREASURY MANAGEMENT REPORT 2017/18**

Cabinet received a report in the Council's treasury management functions in 2017/18.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Ingall) it was:

RESOLVED that Cabinet:

- A** Noted the annual Treasury Management Report for 2017/18 (attached as Appendix A to the report), including that the Council operated within the Treasury Management Strategy Statement during 2017/18, and that the report is recommended to Full Council for approval.
- B** Noted the issues that the outcome of the EU Referendum is creating and their impact on the Council's treasury management activities.

52. **AWARD OF CONTRACT FOR DOMESTIC WASTE AND RECYCLING COLLECTION SERVICES**

Cabinet received a report to award a contract for domestic waste and recycling collection services following the expiration of the current contract at the end of March 2019.

Proposed by Councillor Mark Ingall (seconded by Councillor Danny Purton) it was:

RESOLVED that:

- A** The most economically advantageous tender for the contract for the Provision of Domestic Waste and Recycling Collection and Allied Services submitted by Bidder A be accepted, subject to formal contract.
- B** Delegated authority be given to the Managing Director, in consultation with the Leader of the Council, to make the necessary contractual arrangements.

53. **AWARD OF CONTRACT FOR ADVICE SERVICES**

Cabinet received a report recommending the award of contract to provide Advice Services for three years from 1 October 2018.

Proposed by Councillor Eugenie Harvey (seconded by Councillor Emma Toal) it was:

RESOLVED that:

- A** Contractor A be awarded the contract for delivery of Advice Services for a period of three years from 1 October 2018 at £90,000 per annum subject to paragraph 7 of the report.
- B** Delegated authority be given to the Head of Community Wellbeing, in consultation with the Portfolio Holder for Community and Wellbeing, to make the necessary contractual arrangements.

54. **MHCLG BUSINESS RATES PILOT PROGRAMME 2019-20**

Cabinet received a report to grant delegated authority to the Head of Finance in consultation with the Leader of the Council and the Portfolio Holder for Resources, to give notice formally of the Council's intention to accept or to decline to opt into the 75 percent BRR Pilot Programme if it was deemed financially favourable.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Ingall) it was:

RESOLVED that Cabinet:

- A** Noted the content of the report and its potential implications for the forthcoming budget setting for 2019/20.
- B** Granted delegated authority to the Head of Finance, in consultation with the Leader of the Council and the Portfolio Holder for Resources, to give notice formally of the Council's intention to accept or to decline to opt into the 75 percent BRR Pilot Programme with the other constituent Essex local councils as deemed most favourable to the Council.

55. **COMMUNICATIONS FROM COMMITTEES/WORKING GROUPS/PARTIES AND PANELS**

- a) Referral from Scrutiny Committee - Civic Pride and Education

Cabinet received a referral from the Scrutiny Committee which recommended additional funding to support events and activities with a theme of Civic Pride.

Proposed by Councillor Eugenie Harvey (seconded by Councillor Waida Forman) it was:

RESOLVED that:

A Cabinet supports the events and activities with a theme of Civic Pride, as set out in paragraphs 10 to 13 of the original report attached as Appendix 1.

b) Referral from Scrutiny Committee - Review of Universal Credit in Harlow - Update Report

Cabinet received a referral from the Scrutiny Committee which asked it to note some specific ongoing transitional issues arising from the implementation of Universal Credit.

Proposed by Councillor Mark Ingall (seconded by Councillor Emma Toal) it was:

RESOLVED that Cabinet:

A Noted the continued operational issues that the transition to Universal Credit is having for the Council and its services during the first 12 months of the live scheme in Harlow and in particular:

- i) Delays in payments being made to housing providers.
- ii) The increased level of rent arrears.

56. **MINUTES OF PANELS/WORKING GROUPS**

RESOLVED that the minutes of the following meetings are noted.

- a) Minutes of meeting Wednesday, 25 July 2018 of Shareholder Sub Committee
- b) Minutes of meeting Thursday, 9 August 2018 of Cabinet Overview Working Group

57. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

**CABINET – 13 SEPTEMBER 2018
QUESTIONS FROM THE PUBLIC**

Agenda item 5 refers

1. **Mr Cliff Moore to Councillor Eugenie Harvey, Portfolio Holder for Community and Wellbeing**

I understand the successful tenderer must hold a specialist level quality mark (paragraph 5 page 1448 of the Cabinet reports pack). Contractor A does not hold a specialist level quality mark. Please explain why the Council has ignored this essential criterion? Contractor B holds the relevant specialist level quality assurance standard.

Reply from Councillor Eugenie Harvey, Portfolio Holder for Community and Wellbeing

The question is unfortunately based on an incorrect premise. The criterion has not been ignored. Neither bidder met the quality assurance requirement when the tenders were evaluated.