

**CABINET**  
**Thursday, 20 June 2019 at 7.30 pm**  
**Council Chamber - Civic Centre**

**Members**

Councillor Mark Ingall, Leader of the Council  
Councillor Eugenie Harvey, Deputy Leader and Portfolio Holder for  
Community and Wellbeing  
Councillor Mike Danvers, Portfolio Holder for Resources  
Councillor Tony Durcan, Portfolio Holder for Economic Development  
Councillor Danny Purton, Portfolio Holder for Environment  
Councillor Lanie Shears, Portfolio Holder for Governance, Equality and  
Diversity  
Councillor John Strachan, Portfolio Holder for Regeneration  
Councillor Mark Wilkinson, Portfolio Holder for Housing

**AGENDA**

1. Apologies for absence
2. Declarations of Interest  
  
Councillors' declarations of interest (if any) in relation to any items on the agenda.
3. Minutes (Pages 4 - 12)  
  
To approve the minutes of the meeting held on 28 March 2019.
4. Matters Arising  
  
Any matters arising from the minutes of the previous meeting.
5. Written Questions from the Public  
  
To receive any questions from members of the public in accordance with Rule 10 of the Council Procedure Rules.
6. Written Questions from Councillors  
  
To receive any questions from Councillors in accordance with Rule 11 of the Council Procedure Rules.
7. Petitions  
  
To consider any petitions that have been referred to the Cabinet under the Council's Petition Scheme.

a) Parking in Foldcroft

Petition from Anne Ratcliffe:

“We the undersigned are residents of Foldcroft and call on Harlow District Council to commence an estate wide consultation on the challenges facing residents around parking within the boundary of the Estate.

We ask the Council to review all options up to an including the introduction of an Estate wide parking permit scheme.”

8. Forward Plan (Pages 13 - 28)

To note the Forward Plan, which lists all upcoming Cabinet decisions and provides notice of key decisions and those expected to be taken in private session.

9. Recent Decisions Taken by The Leader, Deputy or Portfolio Holder(s)

To note recent Portfolio Holder decisions taken under delegated powers, as attached.

a) Portfolio Holder for Environment - 21 March 2019 (Page 29)

b) Portfolio Holder for Resources - 29 March 2019 (Page 30)

10. Public Space Protection Order for Town Centre (Pages 31 - 76)

11. Award of Telecoms Management Contract at Harlow Science Park (Pages 77 - 80)

12. Development of Plot H Small Unit Scheme at Harlow Science Park (to follow)

13. Portfolio Holder Delegations (Pages 81 - 91)

To note the Leader of the Council’s Scheme of Delegation to Portfolio Holders

14. Appointment of Cabinet Overview Working Group, Panels and Partnership Bodies 2019/20 (Pages 92 - 93)

15. Cabinet Overview Working Group Work Plan 2019/20 (Pages 94 - 96)

16. Communications from Committees/Working Groups/Parties and Panels

17. Minutes of Panels/Working Groups

To note the following draft minutes of Cabinet appointed bodies. Minutes remain draft until approved by the relevant body.

- a) Minutes of meeting Thursday, 14 March 2019 of Cabinet Overview Working Group (Pages 97 - 100)
- b) Minutes of meeting Tuesday, 26 March 2019 of Harlow Local Highways Panel (Pages 101 - 103)

18. Matters of Urgent Business

Such other business which, in the opinion of the Chair, should be received as a matter of urgency by reason of special circumstances to be specified in the minutes.

**MINUTES OF THE CABINET  
HELD ON**

28 March 2019

7.30 - 8.45 pm

**PRESENT**

**Committee Members**

Councillor Mark Ingall, Leader of the Council  
Councillor Mark Wilkinson, Deputy Leader and Portfolio Holder for Housing  
Councillor Mike Danvers, Portfolio Holder for Resources  
Councillor Danny Purton, Portfolio Holder for Environment  
Councillor Lanie Shears, Portfolio Holder for Governance, Equality and Diversity  
Councillor John Strachan, Portfolio Holder for Regeneration  
Councillor Emma Toal, Portfolio Holder for Economic Growth

**Other Councillors**

Councillor David Carter  
Councillor Simon Carter  
Councillor Joel Charles  
Councillor Tony Edwards  
Councillor Andrew Johnson  
Councillor Stefan Mullard

**Officers**

Brian Keane, Managing Director  
Andrew Bramidge, Project Director -  
Enterprise Zone and Interim Head of  
Planning  
Simon Freeman, Head of Finance and  
Deputy to the Managing Director  
Jane Greer, Head of Community  
Wellbeing  
Simon Hill, Head of Governance  
Andrew Murray, Head of Housing  
Adam Rees, Governance Support  
Officer

128. **APOLOGIES FOR ABSENCE**

Apologies for absence were received Councillor Eugenie Harvey.

129. **DECLARATIONS OF INTEREST**

Councillor Ingall declared a non-pecuniary interest in Item 9a, Portfolio Holder for Community and Wellbeing – 12 March 2019, as a director of Youth Concern Trust. He indicated that he would stay in the meeting for that item unless the proposed grant was discussed.

Councillor Simon Carter declared a pecuniary interest in Item 13, HTS (Property and Environment) Ltd Contract Awards 2019/20, as a remunerated Council appointed Director of HTS (Property and Environment) Ltd. He said that he would leave the meeting in the event financial matters relating to HTS were discussed.

130. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 28 February 2019 are agreed as a correct record and signed by the Leader.

131. **MATTERS ARISING**

None.

132. **WRITTEN QUESTIONS FROM THE PUBLIC**

The questions, together with the answers, are appended to the minutes.

133. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

134. **PETITIONS**

a) Palestine and the IHRA

Mr Adam Cochrane presented the petition to Cabinet.

**RESOLVED** that the petition was noted.

135. **FORWARD PLAN**

**RESOLVED** that the Forward Plan is noted.

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

a) Portfolio Holder for Community and Wellbeing - 12 March 2019

**RESOLVED** that the decision be noted, subject to the following amendments

(i) 'Martin Roberts Charitable Trust' to read 'Michael Roberts Charitable Trust'.

(ii) 'Integrated Support Services' to read 'Integration Support Services'.

b) Portfolio Holder for Regeneration - 14 March 2019

**RESOLVED** that the decision be noted.

137. **JOINT FINANCE PERFORMANCE REPORT, QUARTER 3 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 third 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 this report for the third quarter (October - December) of 2018/19 as follows:
- (i) An over spend on controllable budgets of £20,000 representing 0.03 per cent of the gross General Fund Budget.
  - (ii) A total projected underspend of £1,225,000 representing -2.03 per cent of the gross General Fund Budget.
  - (iii) The Council performed on or above target for 48 out of 48 (100 per cent) of its quarterly performance indicators.

138. **HOUSING REVENUE ACCOUNT, QUARTER 3 FINANCE REPORT 2018/19**

Cabinet received a report which provided an update on the Housing Revenue Account (HRA) for the third quarter of 2018/19 and asked that Cabinet noted variances in the HRA budget, as well as the forecast budget of the HRA and the 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 £435,000 representing 0.82 per cent of the gross HRA budget.
- (ii) A favourable non-operational variance of £3,379,000 representing 6.83 per cent of gross HRA budget which includes adjustments to capital programme financing as a result of the re-alignment of budgets in the housing

capital programme which reduces the anticipated direct revenue contribution required in 2018/19.

- B** Noted the forecast balances at 31 March 2019, of £13,307,000 in respect of the HRA and nil in respect of the Major Repairs Reserve (MRR).

139. **CAPITAL PROGRAMMES, QUARTER 3 FINANCE REPORT 2018/19**

Cabinet received a report which provided an update on the Council's Housing and Non Housing Capital Programmes and sought approval for two business cases.

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

**RESOLVED** that Cabinet:

- A** Noted the progress in the delivery of the Council's Housing and Non-Housing Capital Programmes as at Quarter 3 (30 December 2018) as follows:
  - (i) Housing Capital Programme –forecast outturn of £17,165,000 (original estimate £18,804,000).
  - (ii) Non-Housing Capital Programme – forecast outturn of £10,378,000 (original estimate £15,250,000).
- B** Approved the Business Case to restore Netteswell Pond, financed by a grant from Essex County Council £66,000 and budget virement from Townwide Flood Alleviation of £29,000.
- C** Approved a Business Case to renew the CCTV at the Bus Station at a cost of £10,000 to be funded in full from a revenue contribution.

140. **HTS (PROPERTY AND ENVIRONMENT) LTD CONTRACT AWARDS 2019/20**

Cabinet received a report to award a number of contracts to HTS (Property and Environment) Ltd for 2019/20.

Proposed by Councillor Mark Wilkinson (seconded by Councillor Mark Ingall) it was:

**RESOLVED** that:

- A** The following Business Cases are awarded to HTS (Property and Environment) Ltd subject to clarification and agreement on the terms and conditions, and that separate contracts are

entered into for each activity not exceeding the values set out below:

a) Internal Works	£930,000
b) Aids and Adaptations	£900,000
c) Compliance	£1,800,000
d) Environmental Estate Works	£100,000
e) External Works	£320,000
f) Garages	£350,000
g) Communal Boilers and Heating	£1,400,000
<b>TOTAL</b>	<b>£5,800,000</b>

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

a) **Referral from Scrutiny Committee - Review of the Impact of Permitted Development**

Cabinet received a referral from the Scrutiny Committee which recommended that Article 4 Directions were sought for some of the employment areas within the town.

Councillor Purton proposed that the recommendation contained within the report was amended to seek an Article 4 Direction for the Town Centre (as defined by the red area on the Council's emerging Town Centre Area Action Plan). This amendment was accepted by the seconder (Councillor John Strachan) and became the substantive motion.

Proposed by Councillor Danny Purton (seconded by Councillor John Strachan) it was:

**RESOLVED** that:

**A** The Council seeks Article 4 Directions for the employment areas of The Pinnacles, Templefields (area not already covered by the Templefields Enterprise Zone (EZ) site Article 4 Directions), the Burnt Mill Industrial area/offices adjacent to Harlow Town Railway Station (attached as appendices C, D and E to the report) and the Town Centre (as defined by the red area on the Council's emerging Town Centre Area Action Plan), and then to notify the Secretary of State to grant this.

b) **Referral from Cabinet Overview Working Group - Community Engagement Strategy**

Cabinet received a referral from the Cabinet Overview Working Group which recommended that the draft Community Engagement Strategy was approved.

Proposed by Councillor Mark Ingall (seconded by Councillor Lanie Shears) it was:

**RESOLVED** that:

**A** The draft Community Engagement Strategy (attached as Appendix A to the original report) be approved.

c) Referral from Scrutiny Committee - Improving the Provision of Bus Services in Harlow

Cabinet received a referral from the Scrutiny Committee following is review of bus service provision in Harlow.

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

**RESOLVED** that:

**A** The outcomes of the Local Bus Consultation relating to future transport requirements in Harlow and wider areas be referred to the Garden Town Board.

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

None.

143. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

**CABINET – 28 MARCH 2019  
QUESTIONS FROM THE PUBLIC**

Agenda item 5 refers

1. **Mr Hugh Hoad to Councillor Mark Ingall, Leader of the Council**

At the Council meeting on 28 February 2019, the Opposition proposed their Alternative Budget for 2019/20. This included that the Council should encourage paperless billing of Council Tax. In the discussion that followed you said this was not possible to do because of some Act of Parliament.

In the paperwork I received for 2019/20 Council Tax Bill there was a statement that one could receive a paperless bill.

Can one receive a paperless bill?

**Reply from Councillor Mark Ingall, Leader of the Council**

Yes, it is possible for residents to move to paperless billing for their Council Tax thus avoiding the need to print and post paper bills to households. To be able to do this however residents liable for council tax must first sign up to the Council's online account facility via the Council's website to access their Council Tax bill online. The annual bill or any subsequent revised bills issued during the year will be posted to their online account and the resident will be advised via an e mail alert that their bill is ready to view. If a customer has registered for an on line account and paperless billing then they still have the right to receive a paper copy of the bill should they require one.

As part of the legal recovery processes, if a customer is registered online for paperless billing but has failed to access their on line bill then the Council must ensure that a paper copy of the bill has been sent to the resident prior to commencement of legal recovery action.

**Supplementary Question by Mr Hugh Hoad to Councillor Mark Ingall, Leader of the Council**

Will the Council consider offering a slight discount a Council Tax for those who receive a paperless bill?

**Supplementary Reply from Councillor Mark Ingall, Leader of the Council**

I am aware of the discussions that have taken place at the Housing Standards Board and the Council will consider all options.

Please turn over

2. **Mrs Nicola Purse to Councillor Mike Danvers, Portfolio Holder for Resources**

I understand the Council holds several funds for Church Langley left by the developers. Can you tell me how much that is and the purpose of the funds?

**Reply from Councillor Mike Danvers, Portfolio Holder for Resources**

Yes, the Council does hold a number of funds which were established using payments made to the Council. These stem from a collection of various planning and individual estate grounds maintenance agreements negotiated with the 15 or so separate house builders and the master planner involved in the planning and delivery of the Church Langley development. The major element of the Infrastructure Funds represent a fixed purpose trust fund attached to a covenant for the Council to undertake specified landscaping maintenance for an indefinite time period.

The Infrastructure Fund has been the subject of previous reviews involving Council Officers and Church Langley Councillors. As a result of those reviews it was agreed that the infrastructure agreement exists to cover the woodland, footpaths, play areas and associated landscaped areas. This would be to ensure that the woodland is managed in accordance with good practices, to keep landscaped areas mowed and free from rubbish and weeds, and at least once every planting season, replace diseased or dead shrubs, plants or trees with similar ones (but can be substituted, for example, on health and safety grounds), to maintain footpaths or play areas for which any machinery or apparatus on the same should be maintained for 15 years.

As at the 31 March 2018 the balance of the relevant funds remained at approximately £430,000 and is openly reported within the Council's annual accounts and the annual budget reports as part of the disclosure of information relating to its reserves. Also, there is approximately £70,000 for recreation facilities which could be spent. There had been expressions of interest for community facilities and these plans need to be developed so that this money can be spent.

Further work has been ongoing since last autumn with Council Officers and local ward Councillors to identify an updated programme of works for grounds maintenance across the Church Langley area for which the funding will be used in subsequent years. A major issue with this project has been the identification of land ownership which is very problematic. Some of the areas where grounds maintenance issues are frequently reported are actually still either in the ownership of developers or are actually residents' responsibilities. In order to maintain the funds in perpetuity, it will be

necessary to carefully profile expenditure so that adequate balances remain across a protracted timescale. If, for example, the total balance were anticipated to remain available to support the Council's maintenance work for a period of 50 years, then the scope for annual expenditure stands at £13,300 per annum (with variations dependent upon interest rate and inflationary movements).

**Supplementary Question by Mrs Nicola Purse to Councillor Mike Danvers, Portfolio Holder for Resources**

Please could you give a time funds will be released and works will take place?

**Supplementary Reply from Councillor Mike Danvers, Portfolio Holder for Resources**

I have been involved with the discussions surrounding the funds and had worked with the Social Club to develop plans. The local ward Councillors needed to help establish the work programme.

# Harlow Council Forward Plan

This plan contains all decisions that the Council's Cabinet expects to take over the coming year. Where relevant, each decision has been identified as a Key Decision or as involving consideration in private session.

The definition of a Key Decision is given in Article 12 of the Council's Constitution but is also set out here for clarity.

A 'Key Decision' means a Cabinet/Portfolio Holder decision which is likely:

- a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates. For this purpose, expenditure or savings are deemed to be significant if they exceed £50,000
- b) to be significant in terms of its effects on communities living in an area comprising two or more wards in Harlow.

Each decision listed in this Forward Plan has been assigned an exemption status as follows:

**Open** – members of the press and public are expected to be allowed to attend during consideration of this matter.

**Confidential** – members of the press and public are expected to be excluded during consideration of this matter. The reasons for this exclusion will be stated in column 5, and relate to a lawful power to exclude the press and public when specific classes of information are being discussed, as contained in the [Local Government Act 1972](#).

A Decision Notice for each Key Decision is published within five days of it being made. Decision Notices and documents to be considered by decision makers are open for inspection on the Council's website [www.harlow.gov.uk](http://www.harlow.gov.uk) and at the Civic Centre, The Water Gardens, Harlow, CM20 1WG. Representations on an upcoming key decision can be made by writing to the Managing Director, using the address above.

The current members of the Cabinet are as listed on the Council's website at the following page <http://moderngov.harlow.gov.uk/mgCommitteeDetails.aspx?ID=121>

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I009 889	Public Space Protection Order for Town Centre	Cabinet	20 Jun 2019  Toddbrook	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Deputy Leader and Portfolio Holder for Community and Wellbeing (Councillor Eugenie Harvey)  Jane Greer
I009 897	Award of Telecoms Management Contract at Harlow Science Park	Cabinet	20 Jun 2019  Old Harlow	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Economic Growth (Councillor Tony Durcan)  Andrew Bramidge
I010 206	Development of Plot H Small Unit Scheme at Harlow Science Park	Cabinet	20 Jun 2019  Old Harlow	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Economic Growth (Councillor Tony Durcan)  Simon Freeman, Andrew Bramidge

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I007 560	Town Centre Area Action Plan - Approval of Regulation 19 Consultation	Cabinet	18 Jul 2019  Toddbrook; Little Parndon and Hare Street; Netteswell	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Regeneration (Councillor John Strachan)  Jane Greer, Andrew Bramidge
I010 135	Year End 2018/19 Joint Performance and Finance Report	Cabinet	18 Jul 2019	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Leader of the Council (Councillor Mark Ingall)  Brian Keane
I010 136	Housing Revenue Account Outturn Report 2018/19	Cabinet	18 Jul 2019	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray, Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 137	Capital Programmes Outturn Report 2018/19	Cabinet	18 Jul 2019	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson), Portfolio Holder for Resources (Councillor Mike Danvers)  Andrew Murray, Simon Freeman
I009 896	HTS (Property and Environment) Ltd Contract Award - Harlow Science Park Management	Cabinet	18 Jul 2019  Old Harlow	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Economic Growth (Councillor Tony Durcan)  Andrew Bramidge
I008 604	Revision of London Road North Enterprise Zone Local Development Order	Cabinet	18 Jul 2019  Old Harlow	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton), Portfolio Holder for Economic Growth (Councillor Tony Durcan)  Andrew Bramidge

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I009 979	Housing Assistance Policy - Home Adaptation for Disabled People	Cabinet	18 Jul 2019	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Jane Greer
I010 350	Future Bus Shelter Provision	Cabinet	18 Jul 2019	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Simon Freeman
I010 338	Carbon Management Plan Update	Cabinet	18 Jul 2019	Key decision: <b>No</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 207	Local Development Plan - Approval of Modifications Prior to Consultation	Cabinet	12 Sep 2019  All Wards	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Andrew Bramidge
I010 138	Joint Finance and Performance Report, Quarter 1 2019/20	Cabinet	12 Sep 2019	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I010 139	Housing Revenue Account, Quarter 1 Finance Report 2019/20	Cabinet	12 Sep 2019	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray, Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 140	Capital Programmes, Quarter 1 Finance Report 2019/20	Cabinet	12 Sep 2019	Key decision: <b>No</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson), Portfolio Holder for Resources (Councillor Mike Danvers)  Andrew Murray, Simon Freeman
I010 141	Annual Treasury Management Report 2018/19	Cabinet	12 Sep 2019	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I010 142	Debt Write Offs	Cabinet	12 Sep 2019	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 208	Adoption of Local Development Plan	Cabinet	5 Dec 2019  All Wards	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Andrew Bramidge
I010 143	Treasury Management Strategy Statement 2019/20: Mid-Year Review	Cabinet	5 Dec 2019	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I010 144	Joint Finance and Performance Report, Quarter 2 2019/20	Cabinet	5 Dec 2019	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 145	Housing Revenue Account, Quarter 2 Finance Report 2019/20	Cabinet	5 Dec 2019	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray, Simon Freeman
I010 146	Capital Programmes, Quarter 2 Finance Report 2019/20	Cabinet	5 Dec 2019	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson), Portfolio Holder for Resources (Councillor Mike Danvers)  Andrew Murray, Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I007 561	Town Centre Area Action Plan - Submission to Planning Inspectorate for Examination Under Regulation 22	Cabinet	5 Dec 2019  Toddbrook; Little Parndon and Hare Street; Netteswell	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Regeneration (Councillor John Strachan)  Jane Greer, Andrew Bramidge
I010 147	Debt Write Offs	Cabinet	5 Dec 2019	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I010 148	Local Council Tax Support Scheme Proposals 2020/21	Cabinet	5 Dec 2019	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 149	Corporate Plan 2020/21	Cabinet	23 Jan 2020	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Leader of the Council (Councillor Mark Ingall)  Brian Keane
I010 150	Medium Term Financial Strategy 2020/21 - 2022/23	Cabinet	23 Jan 2020	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I010 151	Capital and Treasury Report 2020	Cabinet	23 Jan 2020	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 152	Housing Revenue Account Business Plan 2019-2049	Cabinet	23 Jan 2020	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray, Simon Freeman
I010 153	Housing Revenue Account Budget 2020/21	Cabinet	23 Jan 2020	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson), Portfolio Holder for Resources (Councillor Mike Danvers)  Andrew Murray, Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 155	Capital Programmes 2019/20 - 2021/22	Cabinet	23 Jan 2020	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray, Simon Freeman
I010 154	General Fund Budget 2020/21	Cabinet	23 Jan 2020	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I010 156	Joint Finance and Performance Report, Quarter 3 2019/20	Cabinet	26 Mar 2020	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I010 157	Housing Revenue Account, Quarter 3 Finance Report 2019/20	Cabinet	26 Mar 2020	Key decision: <b>No</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray, Simon Freeman
I010 158	Capital Programmes, Quarter 3 Finance Report 2019/20	Cabinet	26 Mar 2020	Key decision: <b>No</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray, Simon Freeman
I010 159	Debt Write Offs	Cabinet	26 Mar 2020	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I009 104	Homelessness Strategy	Cabinet	To be confirmed	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray
I009 925	Regeneration Strategy	Cabinet	To be confirmed Subject to OWG approval	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Regeneration (Councillor John Strachan)  Jane Greer
I009 743	Business Case for Property Conversion for Sumners Farm Close	Cabinet	To be confirmed  Sumners and Kingsmoor	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I009 571	Epping Forest SAC Mitigation Strategy	Cabinet	To be confirmed	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Andrew Bramidge
I009 572	Stewardship Arrangements	Cabinet	To be confirmed	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Andrew Bramidge
I009 573	East Harlow Strategic Masterplan	Cabinet	To be confirmed	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Andrew Bramidge

# PORTFOLIO HOLDERS DECISION NOTICE

**21 March 2019**

(Published 21 March 2019)

This document lists the decision taken by the Portfolio Holder for Environment on 21 March 2019.

A decision may be implemented with immediate effect, unless it is eligible for call-in as identified below, whereupon a decision will not be implemented until five working days have elapsed.

Decision Taker	Decision	Reasons for Decision	Any Options Rejected	Declared Conflict of Interest?	Eligible for Call-In?
<b>Portfolio Holder for Environment</b>  Councillor Danny Purton	<u>Highways Maintenance Strategy 2019</u>  <b>A</b> The amended Harlow District Council Highways Maintenance Strategy 2019, attached as Appendix A to the report, is approved.	<b>A</b> To ensure that the Council's Highways Maintenance Strategy complies with the new code of practice.	None.	None.	Yes

# PORTFOLIO HOLDERS DECISION NOTICE

**29 March 2019**

(Published 29 March 2019)

This document lists the decision taken by the Portfolio Holder for Resources on 29 March 2019.

A decision may be implemented with immediate effect, unless it is eligible for call-in as identified below, whereupon a decision will not be implemented until five working days have elapsed.

Decision Taker	Decision	Reasons for Decision	Any Options Rejected	Declared Conflict of Interest?	Eligible for Call-In?
<p><b>Portfolio Holder for Resources</b></p> <p>Councillor Mike Danvers</p>	<p><u>Debt Write Offs</u></p> <p><b>RESOLVED</b> that:</p> <p><b>A</b> Irrecoverable Council Tax write offs amounting to £63,625.75 be written off.</p> <p><b>B</b> Council Tax credit balances amounting to £6,292.09 be written off.</p> <p><b>C</b> Irrecoverable housing benefit overpayment amounting to £48,516.87 be written off.</p>	<p><b>A</b> The Portfolio Holder's approval is required to write off irrecoverable debts.</p>	<p>None</p>	<p>None</p>	<p>Yes</p>

**REPORT TO:** CABINET

**DATE:** 20 JULY 2019

**TITLE:** PUBLIC SPACE PROTECTION ORDER FOR TOWN CENTRE

**PORTFOLIO HOLDER:** COUNCILLOR EUGENIE HARVEY, DEPUTY LEADER AND PORTFOLIO HOLDER FOR COMMUNITY AND WELLBEING

**LEAD OFFICER:** JANE GREER, HEAD OF COMMUNITY WELLBEING (01279) 446406

**CONTRIBUTING OFFICER:** MARYSIA RUDGLEY, COMMUNITY SAFETY MANAGER (01279) 446115

**This is a Key Decision**  
**It is on the Forward Plan as Decision Number I008161**  
**Call-in Procedures may apply**  
**This decision will affect Toddbrook Ward.**

**RECOMMENDED that Cabinet:**

- A** Approves the Public Space Protection Order (attached as Appendix 1 to the report) after considering the consultation responses.
- B** Approve that the Public Space Protection Order comes into force once all necessary signage has been put in place.
- C** Agrees that once implemented, the Public Space Protection Order is monitored for three years and a report on its impact is brought back with recommendations on any extensions, amendments or additions if required.
- D** Agrees that cases not covered by the Public Space Protection Order that require enforcement based on behaviour will continue to be enforced through the Council's Anti-Social Behaviour policy.

**REASON FOR DECISION**

- A** To agree to implement a Public Space Protection Order (PSPO) in Harlow Town Centre within the district of Harlow. This new Order prohibits certain behaviours and creates criminal offences for persons who do not comply with the Order.

## BACKGROUND

1. On 19 July 2018, approval was given by Cabinet to enter into consultation in relation to implementing a PSPO in Harlow Town Centre within the district of Harlow. A copy of the PSPO can be seen at Appendix 1.
2. In October 2014, the Government implemented the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act). The purpose of the Act is to give local authorities and the Police more effective powers to tackle a range of anti-social behaviour (ASB) issues and to provide better protection for victims and communities.
3. Amongst these new tools and powers are PSPO's which are designed to stop individuals from committing ASB in a public space. It is for each individual Council to determine what behaviours they want to make the subject of a PSPO. However, the overarching consideration when considering a PSPO is whether the activity will have a detrimental effect on the quality of life of those in the locality.
4. When implementing a PSPO, there is a requirement to undertake a public consultation exercise. The statutory requirement is for the individual local authority to consult with the Chief Officer of the Police, the local policing body for the area, any other community representatives the local authority thinks it appropriate to consult and the owner or occupier of land within the restricted area.
5. PSPO's will provide Council's with a flexible power to implement restrictions to address a range of ASB issues in public spaces in order to prevent future problems.
6. Restrictions and requirements can be placed on an area where activities have, or are likely to have, a detrimental effect on the quality of life of local people, is persistent or continuing in nature and is unreasonable. These can be blanket restrictions or requirements, or can be targeted against certain behaviours at certain times. The PSPO can:
  - a) Prohibit specified things being done in an area;
  - b) Require specific things to be done in an area.
7. The prohibitions or requirements can also be framed so that they:
  - a) Apply to all persons, or only persons in specified categories, or to all persons except those in specified categories;
  - b) Apply at all times, or only at specified times, or at all times except those specified;
  - c) Apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.

8. The following conditions must be met before making the order:
  - a) Activities carried out in a public place within the local authority area have a detrimental effect on the quality of life of those living in the locality; or
  - b) It is likely that activities will be carried out in a public space within the area that will have such an effect; and
  - c) The effect, or likely effect of the activities:
    - i) Is, or is likely to be, of a persistent or continuing nature;
    - ii) Is, or is likely to be, such as to make the activities unreasonable; and
    - iii) Justifies the restrictions imposed by the notice.
9. The Guidance is not specific on what can be included in a PSPO. The potential for their use is broad and flexible to allow a Council to cover individual circumstances in its area. A PSPO can cover multiple restrictions so one order could prohibit or promote activities such as the drinking of alcohol and keeping dogs on a lead. The PSPO can cover any publicly accessible space within the Council's area, including areas in private ownership to which the public have access.
10. The order can be enforced by Police Officers, authorised Police Community Support Officers, authorised Council Officers and other designated persons, including officers under the Community Safety Accreditation Scheme.
11. Any interested person can challenge the validity of the PSPO in the High Court but the challenge must be made within six weeks of the Order being made. An 'interested person' means an individual who lives in the restricted area or who regularly works or visits that area.
12. A PSPO replaces existing provisions such as Designated Public Place Orders, which give powers to stop the drinking of alcohol in public places. Under the Act, if not reviewed earlier a PSPO will continue to be valid for a period of three years when the provision of the Act relating to the PSPO commenced.
13. A PSPO can be made for a maximum of three years. The legislation provides they can be extended at the end of the period, but only for a further period of up to three years. However, orders can be extended more than once. Local authorities can increase or reduce the restricted area of an existing order, amend or remove a prohibition or requirement, or add a new prohibition or requirement. They can also discharge an order but further consultation must take place for varying or discharging orders. On 19 July 2018 Cabinet authorised the undertaking of consultation on the introduction of a PSPO under the Act in respect of the following: cycling, alcohol and ball games.

## **Cycling**

14. No person shall be permitted use of bicycles, skateboards, scooters or any other self-propelled vehicles (except Mobility Scooters) between the designated times of 09.00hrs and 18.00 as specified, outlined yellow on the attached map appendix 1.

## **Alcohol**

15. Restrictions apply, at any time for the person(s) consuming alcohol or having an alcohol container, in the restricted area edged red as seen in Appendix 1, subject to the exemptions listed below:
  - a) In the area, appendix 1, any person who without reasonable excuse continues drinking intoxicating liquor in the restricted area when asked to stop by an authorised officer, commits an offence.
  - b) Or fails to surrender any intoxicating liquor in their possession when asked to do so by and authorised officer, commits an offence.
  - c) An authorised person who imposes a requirement under (a) or (b) above must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

## **Ball Games**

16. No person shall play ball games within the area outlined in red as seen in Appendix 1 including any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing or catching excluding the provision of playing table tennis within the area hatched blue on the plan as seen in Appendix 1.

## **Outcome of Consultation**

17. The Council engaged in a four week public consultation starting on 31 January 2019 and ending on 28 February 2019. Further consultation was deemed necessary after 28 February 2019 as the Council had received very few responses from those consulted with, therefore, further consultation took place from 12 March 2019 and ending on 12 April 2019.
18. Appendix 2 provides a list of those consulted with in respect of the proposed PSPO. This includes the District Commander, the local policing team, the Police Fire and Crime Commissioner, the owners or occupiers of land within the restricted area and community representatives.
19. The responses to the consultation and other consultation related documentation are attached as appendices as set out in the table below.

**Table 1- Responses to Consultation Appendices**

<b>Appendix</b>	<b>Content</b>
3	The Council's post on Facebook from period 31 January 2019 to 28 February 2019 together with 21 responses from members of the public. The Facebook post had 4,400 views.
4	Article regarding the proposed PSPO in the local newspaper The Guardian.
5	The Council's web page setting out the consultation for period 31 January 2019 to 28 February 2019.
6	Online responses received during period 31 January 2019 to 28 February 2019.
7	Email received from one Statutory Consultee, Harlow Police Chief Inspector. (From viewing a response from this Statutory Consultee there is no objection to the proposal although a view that the proposal should incorporate an additional subject matter)
8	The Council's web page setting out consultation questions for period 12 March 2019 ending on 12 April 2019.
9	Responses from members of the public
10	Two emails sent to Contact Harlow in response to the PSPO consultation.

20. Overall, there are very few objections to the proposal and support dominates for the implementation of the PSPO in Harlow Town Centre.
21. From viewing responses from members of the public there are some concerns regarding rough sleeping within Harlow Town Centre. It is the Council's intention to work with partner agencies to assist those rough sleeping and should the need arise use the appropriate anti-social behaviour legislation to deal with nuisance behaviour associated with rough sleeping when reported to Harlow Council.
22. Members of the public also have some concerns regarding aggressive begging within Harlow Town Centre. Again, it is the Council's intention to use the appropriate anti-social behaviour legislation to deal with nuisance behaviour associated with aggressive begging.

## **ISSUES/PROPOSALS**

23. The Council recognises that there is appropriate available legislation to deal with other types of anti-social behaviour such as aggressive begging. It is proposed that the Council continues to work within its current Anti-Social Behaviour Policy dated 15 October 2015. A copy of the policy can be seen at Appendix 11.
24. Using the Anti-social Behaviour, Crime and Policing Act 2014 the Council have the power to use Acceptable Behaviour Contracts, Civil Injunctions, Criminal

Behaviour Orders, Community Protection Warning, Community Protection Notices and Injunctions to prevent conduct that has caused, or is likely to cause, harassment, alarm or distress to any person therefore nuisance behaviour such as aggressive begging can be addressed using the Anti-social Behaviour, Crime and Policing Act 2014.

25. In the first instance Community Protection Warnings and Notices can be used to stop a person aged 16 or over from committing anti-social behaviour which spoils the community's quality of life, authorised Officers from the Council and the Police have the powers to issue Community Protection Warnings and Notices should the behaviour exhibited have a detrimental effect on the quality of life of those in the locality, be of a persistent nature and be unreasonable.
26. The Community Protection Notice can deal with a range of anti-social behaviours including aggressive begging and can include requirements to prevent behaviour occurring again, a Community Protection Notice can be issued to someone aggressively begging requiring them to stop their behaviour, breach of a Community Protection Warning is a criminal offence and a fixed penalty notice can be issued.
27. Since the implementation of the Homeless Reduction Act 2018, which placed new duties on Local Authorities to prevent homelessness at an earlier stage and to embed a culture of prevention into services, the Council continue to work in line with the new Rough Sleeping Initiative to focus on helping and supporting people who are rough sleeping.
28. A strong focus on support has been introduced including assertive outreach teams. These teams will work in partnership with local agencies to support those sleeping rough and to address their complex needs by way of pathway plans. The plans will outline actions to be completed that aim to deliver positive outcomes and overcome personal and housing difficulties.
29. Prior to any enforcement action being taken against the behaviour of those sleeping rough, the Council will ensure, through partnership working, that outreach support is provided to engage with the individual and support them in their personal and housing circumstances.
30. It must be noted that should the implementation of the PSPO be agreed funding will be required to purchase and erect signage within the locality of Harlow Town Centre.

## **IMPLICATIONS**

### **Place (Includes Sustainability)**

None specific.

**Author: Andrew Bramidge, Project Director – Enterprise Zone and Interim Head of Planning**

**Finance (Includes ICT)**

None specific.

**Author: Simon Freeman, Head of Finance and Deputy to the Managing Director**

**Housing**

None specific.

**Author: Andrew Murray, Head of Housing**

**Community Wellbeing (Includes Equalities and Social Inclusion)**

A Public Space Protection Order will provide the Council with the power to implement sanctions to address a number of anti-social behaviour issues that may occur in the Town Centre.

**Author: Jane Greer, Head of Community Wellbeing**

**Governance (Includes HR)**

The Council has completed a robust consultation process and has given due regard to the responses received. Enforcement action as a result of the PSPO may impact on available legal resources.

**Author: Simon Hill, Head of Governance**

**Appendices**

Appendix 1- Copy of Draft Public Space Protection Order

Appendix 2 - List of Consultees

Appendix 3 – Social Media Responses

Appendix 4 – The Guardian (Local Newspaper) Press Release

Appendix 5 – Harlow Council's Web Page

Appendix 6 – Online Responses to Consultation

Appendix 7 – Response from Statutory Consultee

Appendix 8 – Online Consultation Question after 12 March 2019

Appendix 9 – Online Responses to Consultation after 12 March 2019

Appendix 10 – Email Responses to Consultation after 12 March 2019

Appendix 11 – Anti-Social Behaviour Policy dated 15 October 2015

**Background Papers**

None.

**Glossary of terms/abbreviations used**

ASB – Anti-Social Behaviour

PSPO – Public Space Protection Order

## Appendix 1

### HARLOW DISTRICT COUNCIL ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 PART 4, SECTION 59

#### PUBLIC SPACES PROTECTION ORDER

This Public Spaces Protection Order shall come into effect on .....2019 for a period of three years.

Harlow District Council (“the Council”) in exercise of the power under section 59 of The Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”), and of all enabling powers being satisfied that the conditions set out in section 59 of the Act have been met and makes the following order (“the Order”):

1. This order relates to the public space within the area edged red on the plan of Harlow, attached as Appendix 1, being a public space in the Council’s area to which the Act applies.
2. The Council is satisfied on reasonable grounds that the three conditions below have been met, in that:-
  - a) Activities carried out in the restricted area as described below have had a detrimental effect of the quality of life of those in the locality, or it is likely that these activities will be carried on in a public place and they will have such an effect.
  - b) The effect or likely effect of the activities is, or is likely to be, of a persistent and continuing nature, is or is likely to be, unreasonable, and justifies the restrictions imposed by this Order.
  - c) The restricted behaviour is, or is likely to be unreasonable.

#### **3. Authorised officer**

In this order “an authorised officer” means an authorised officer of the Council, a police officer, a police community support officer or an officer accredited under the community safety accreditation scheme as designed by the Council.

4. The effect of this order is to impose the following prohibitions and/or requirements at all times:-

#### **Ball Games**

No person shall play ball games including any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing or catching excluding the provision of playing table tennis within the area hatched blue on the plan attached at Appendix 1.

## **Alcohol**

Restrictions apply, at any time for the person(s) consuming alcohol or having an alcohol container, in the restricted area unless subject to the exemptions listed in Appendix 2 below.

- a) In this area, Appendix 1, any person who without reasonable excuse continues drinking intoxicating liquor in the restricted area when asked to stop by an authorised officer, commits an offence.
- b) Or fails to surrender any intoxicating liquor in their possession when asked to do so by an authorised Officer, commits an offence.
- c) An authorised person who imposes a requirement under paragraph 4a or 4b must tell the person that failing without reasonable excuse to comply with the requirement is an offence.

## **5. Penalty**

- a) It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
- b) In accordance with section 63 of the Act, a person found to be in breach of this Order by consuming alcohol or by refusing to surrender alcohol to an authorised person is liable on summary conviction to a fine not exceeding £500, level 2 on the standard scale or to a Fixed Penalty Notice up to £80.
- c) In accordance with section 67 of the Act, a person found to be in breach of this Order, other than by consuming alcohol or by refusing to surrender alcohol to an authorised person, is liable on summary conviction to a fine not exceeding £1000, level 3 on the standard scale or to a Fixed Penalty Notice up to £80.

## **6. Appeals**

- a) In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

## **Appendix 1**

Map of area

## **Appendix 2**

- a) Premises authorised by a premises licence or temporary event notice to be used for the supply of alcohol.

- b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol.
- c) A place within the curtilage of premises within paragraph (a) or (b).

SEALED with the Common Seal of  
Harlow District Council

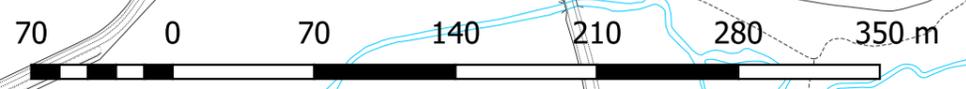
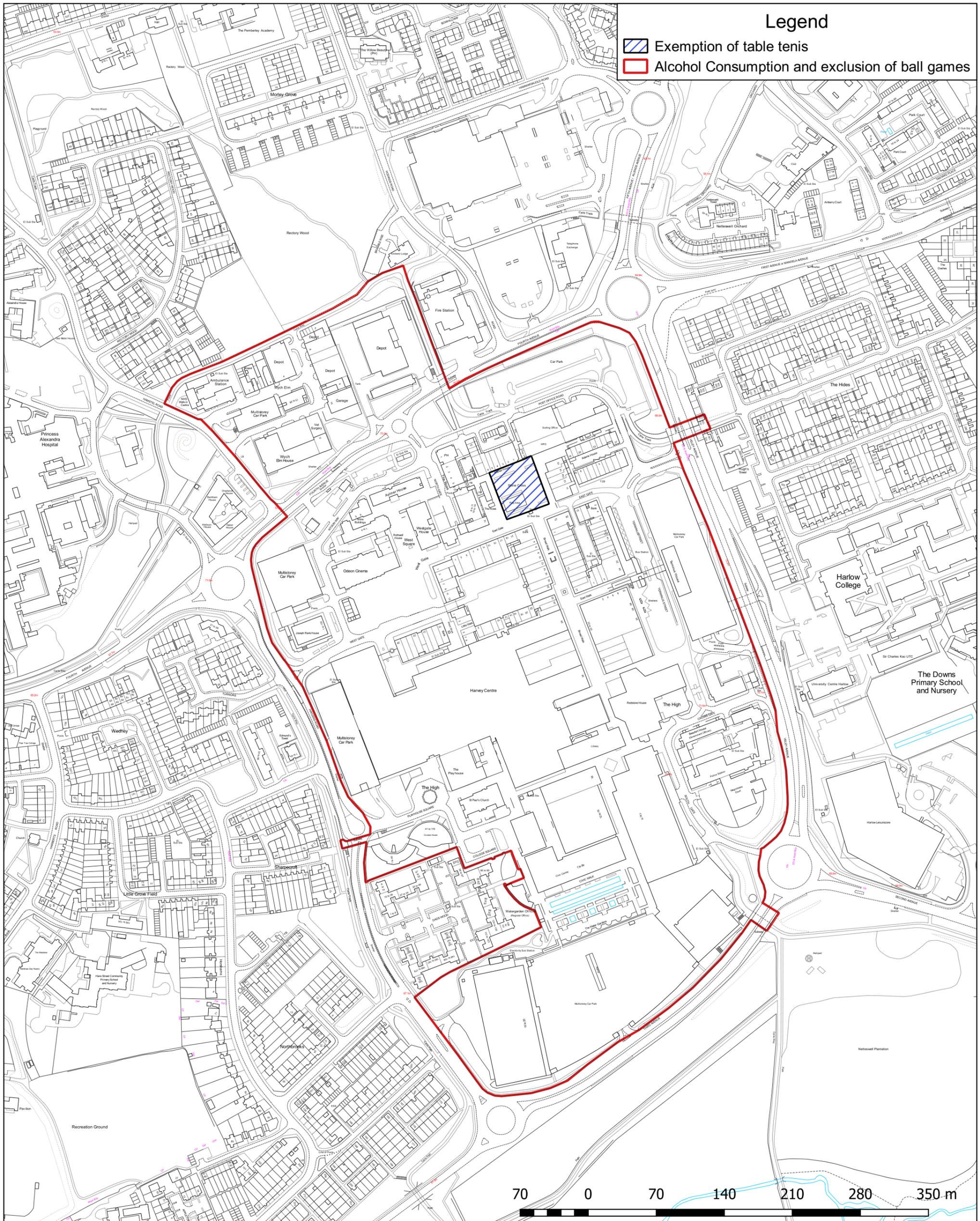
This day ..... of ..... 2019

.....  
Duly Authorised Officer

DRAFT

# Legend

-  Exemption of table tennis
-  Alcohol Consumption and exclusion of ball games

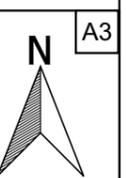


Title:  
Alcohol Consumption and exclusion of ball games  
Town Centre  
Harlow  
Essex

Harlow Council  
Civic Centre  
The Water Gardens  
Harlow  
Essex, CM20 1WG  
Tel. 01279 446655  
Email. [contact@harlow.gov.uk](mailto:contact@harlow.gov.uk)

Scale: 1:3500      Date: 12/03/2019      Drawn By: MS      Drawing Number: GIM4409-066D

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**HARLOW DISTRICT COUNCIL  
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014  
PART 4, SECTION 59**

**PUBLIC SPACES PROTECTION ORDER**

This Public Spaces Protection Order shall come into effect on .....2019 for a period of three years.

Harlow District Council (“the Council”) in exercise of the power under section 59 of The Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”), and of all enabling powers being satisfied that the conditions set out in section 59 of the Act have been met and makes the following order (“the Order”):

1. This order relates to the public space within the area edged yellow on the plan of Harlow, attached as Appendix 1, being a public space in the Council’s area to which the Act applies.
2. The Council is satisfied on reasonable grounds that the three conditions below have been met, in that:-
  - a) Activities carried out in the restricted area as described below have had a detrimental effect of the quality of life of those in the locality, or it is likely that these activities will be carried on in a public place and they will have such an effect.
  - b) The effect or likely effect of the activities is, or is likely to be, of a persistent and continuing nature, is or is likely to be, unreasonable, and justifies the restrictions imposed by this Order.
  - c) The restricted behaviour is, or is likely to be unreasonable.

**3. Authorised officer**

In this order “an authorised officer” means an authorised officer of the Council, a police officer, a police community support officer or an officer accredited under the community safety accreditation scheme as designed by the Council.

4. The effect of this order is to impose the following prohibitions and/or requirements at all times:-

**Cycling**

No person shall be permitted use of bicycles, skateboards, scooters or any other self propelled vehicles (except mobility scooters) between the designated times of 09.00hrs and 18.00hrs as specified within the area edged yellow on attached map (see Appendix 1)

**5. Penalty**

- a) It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.

- b) In accordance with section 67 of the Act, a person found to be in breach of this Order is liable on summary conviction to a fine not exceeding £1000, level 3 on the standard scale or to a Fixed Penalty Notice up to £80.

**6. Appeals**

- a) In accordance with section 66 of the Act, any interested person who wishes to challenge the validity of this Order on the grounds that the Council did not have the power to make the Order or that a requirement under the Act has not been complied with may apply to the High Court within six weeks from the date upon which the Order is made.

**Appendix 1**

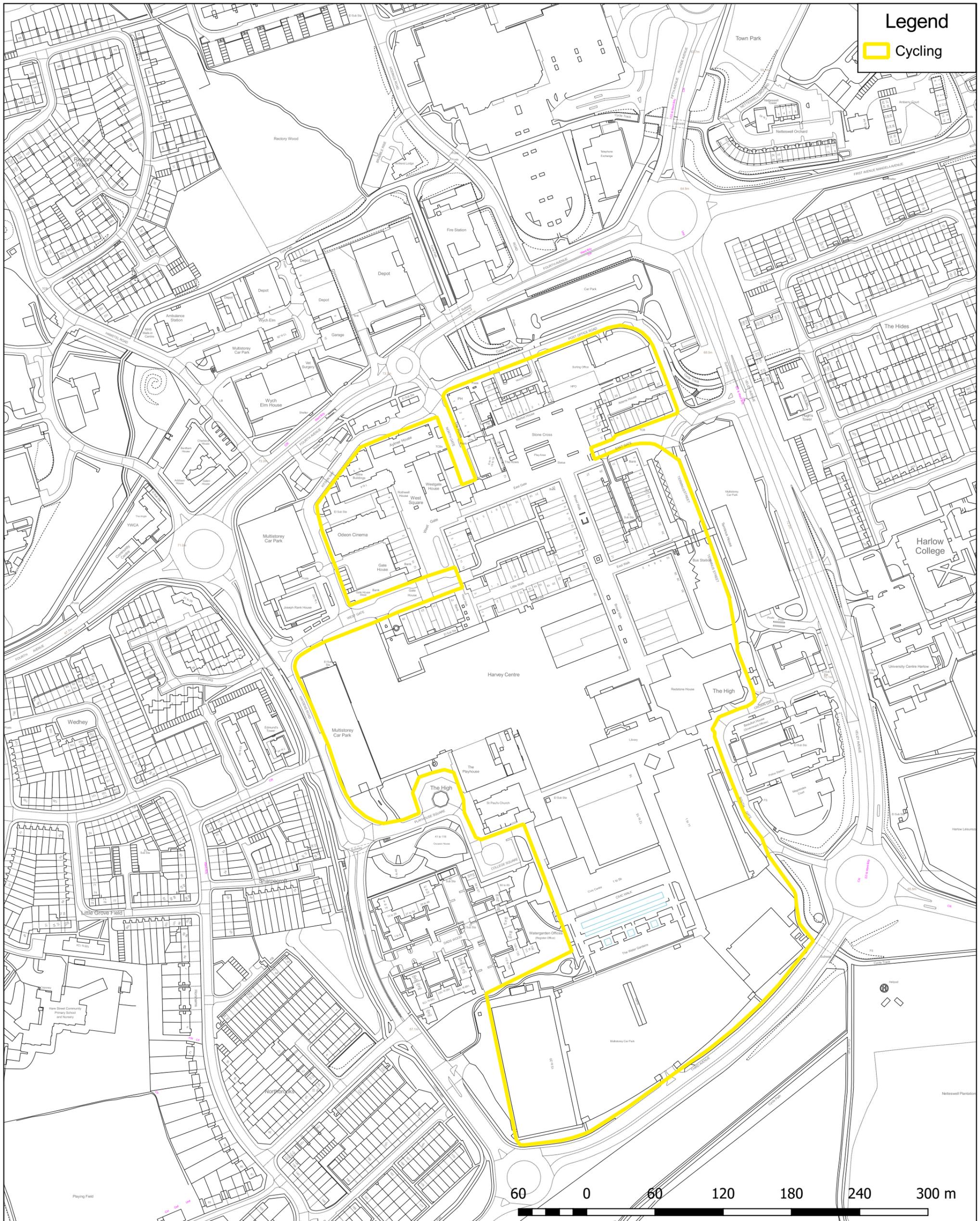
Map of area

SEALED with the Common Seal of  
Harlow District Council

This day ..... of ..... 2019

.....  
Duly Authorised Officer

**Legend**  
 Cycling



Title:  
**Cycling boundaries  
 Town Centre  
 Harlow  
 Essex**

Harlow Council  
 Civic Centre  
 The Water Gardens  
 Harlow  
 Essex, CM20 1WG  
 Tel. 01279 446655  
 Email. [contact@harlow.gov.uk](mailto:contact@harlow.gov.uk)

Scale:  
 1:3,000

Date:  
 18/04/2018

Drawn By:  
 Tom Farrington

Drawing Number:  
 GIM4409-067

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## **Appendix 2**

### Public Space Protection Order (PSPO) Consultees

#### Organisations that business letters were sent to:-

Echad Services  
Pinks Chix  
Dolled Up  
Wych Elm Barbers  
The Anex  
Daniel Robinson Funeral Directors  
Mr Unique  
Church's X2  
Leonard Brookes  
Harris Motorcycles  
Halfords  
Car Wash  
NHS  
Streets to Homes  
Rainbow Services  
Harlow Pharmacy  
Russian Dolls Tattoo  
Cube Barbers  
NYX Boutique  
Strandpark Properties LTD  
Luminus Group  
CF Property and Investments LTD  
GRK Properties LTD  
Peer Group PLC  
Royal Mail Group  
Smith Homes 1  
Black Raven Developments LTD  
Retro Properties LTD  
Community Drug & Alcohol Team  
Wych Elm Harlow LTD  
West Essex Alcohol & Drugs Service  
Mountcharm  
Diamond Corporation  
Harlow HIEX (Holiday Inn Express)  
Martin Slowe Estate LTD  
Peppercorn Investments  
Terrabox Networks  
Glamis Estates LTD (Home Group)  
Mapp Properties  
Flodrive Holdings LTD

Springclay Services LTD  
The Benefice of St Paul Church Office  
East Thames

Organisations that business letters were sent to by email:-

Matthew Cornish/Tony Walker/Police Fire Crime Commissioner  
Essex County Council  
The Harvey Centre (Bryan Young)  
The Water Gardens (Simon Plumb)  
Caridon (Paul Jackson)  
Attwaters Jameson Hill  
Courtney Investments  
Barbara Cox – McDonalds  
Lea Valley Cycles/Harlow Cycling Club

Councillors that were consulted by email:-

David Carter  
Simon Carter  
Joel Charles  
Nick Churchill  
Jean Clark  
Mike Danvers  
Bob Davis  
Jodi Dunne  
Anthony Durcan  
Tony Edwards  
Michael Garnett  
Tony Hall  
Michael Hardware  
Eugenie Harvey  
Maggie Hulcoop  
Mark Ingall  
Shannon Jezzard  
Andrew Johnson  
Eddie Johnson  
Shona Johnson  
Sue Livings  
Frances Mason  
Stefan Mullard  
Russell Perrin  
Danny Purton  
Lanie Shears  
Clive Souter  
Edna Stevens

John Strachan  
Emma Toal  
Chris Vince  
Phil Waite  
Mark Wilkinson

## Appendix 3



Published by Paul Keen [?] · 15 February at 19:30 · 🌐

We're looking to introduce a public space protection order (PSPO) 🌐 to target 🎯 antisocial behaviour in the Town Centre 🏙️, and make it a safer place to visit and work in, and we want your views 🗣️ on the plans.

We're carrying out final consultation with residents and businesses on the PSPO which covers Harlow Town Centre, which would prohibit dangerous cycling (including bicycles 🚲, scooters 🛹 and skateboards 🛹), alcohol consumption outside of licensed premises and antisocial ball games 🏈 within the area. The Town Centre PSPO would be the first of its kind in the town.

The PSPO would make any of these activities an offence which is punishable by law; anyone breaching the order can be fined or prosecuted.

If the PSPO is introduced it will be put in place for three years, after which time we'll review and decide on any extension or changes that should be made.

The order will be enforced by our Council Community Safety Team and Essex Police 👮 👮

You can read more about the PSPO proposals and submit your questions to us at [www.harlow.gov.uk/pspo](http://www.harlow.gov.uk/pspo)



4,399

People reached

811

Engagements

Boost Post



Michelle Crook, Katy Tyler and 52 others

21 Comments 18 shares

Like

Comment

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Oldest ▾



**Keith Knight** Need it a few other areas as well. 1

Like · Reply · Message · 1w



**Karen Taylor** Is it needed in the town centre ? The other centres yes because of the homes nearby 1

5363/7t...



**Sherrie Bird** The town does need it great idea  2

[Like](#) · [Reply](#) · [Message](#) · 1w



**Bob Wells** Public transport along Edinburgh way would be better !!!

[Like](#) · [Reply](#) · [Message](#) · 1w



**Jayne Pitcher** What about teenagers abusing staff in McDonald's and being allowed back in after doing it several times? Would this come under this category?

[Like](#) · [Reply](#) · [Message](#) · 1w



**Pat Jordan Zoufri** What about the boy that is always in The Stow, starting about 2.30 when there are elderly people and small children coming out of school and then when the others come from school riding a stunt bike and using the Hand sculpture and the new seating as jumping ramps day and evening times. This has now been happening for the last 2-3 weeks.

[Like](#) · [Reply](#) · [Message](#) · 1w



**Leslie Lyn Cole** Youths on motor cycles on rye park who aim for you on purpose if you don't get out their way

[Like](#) · [Reply](#) · [Message](#) · 1w





**Edward Edward Edward** Sounds good, but there's no point in having it if there's no one to enforce it.

Like · Reply · Message · 1w



**Christopher Paul Flateau** I agree, what is the point when then is no police around, or council officials anymore. Those that commit offences know this and just don't care. I've lost count the amount of times i've had to reproach others about their behaviour in front of my family and grandchildren. The threats of violence over the slightest rebuff is shocking! It was once a relaxed community town, i'm afraid that's gone forever!

Like · Reply · Message · 1w



Write a reply...



**Sara Kawsar** Harlow Council - Our town centre has definitely gone downhill over the last decade. One only has to look at the class of people loitering and intimidating shoppers! What a great idea. Let's hope your enforcement officers are out patrolling during peak times!

Like · Reply · Message · 1w



**Jo Carrington** Loving the new fence around Nicholls Tower Stops everyone dropping in to dump their rubbish off and looks good too !  
Thank you ... [See more](#)

Like · Reply · Message · 1w · Edited



**Jackie Gasson-Heath** So who is going to be around to enforce this order?? Surely not just the community officers? Or are you just relying on the cameras to pick things up, day and night??

Like · Reply · Message · 1w · Edited





**Emily Charlotte** I don't think it needs 'a final consultation' just get on with it please 🙏🙏🙏

Like · Reply · Message · 1w



**Harlow Council** ✓ Emily Charlotte unfortunately Charlotte there is a process we have to follow first.

Like · Reply · Commented on by communications.user@harlow.gov.uk [?] · 1w



**Miller Max** Dangerous on skateboards, scooters and bmxes? You can fuck right off with that one, the skate community only ever end put themselves at risk, not others, by all means ban the routes on mountain bikes as they don't care if they hurt anyone but leave skaters alone.

Reply · Unhide · 1w



**Dave Monk** Definitely time to stop cycling on pedestrian areas but also high time the council repaired the cycle paths and pointed out to the town that it actually has this grossly underused network which would serve everyone far better than trying to drive around... [See more](#)

Like · Reply · Message · 1w



**Keith Elliott** Dave Monk some one that puts lamp posts and bus stops in the middle of a cycling lane.

Like · Reply · Message · 1w



Write a reply...



**Denice Cane** I don't recognise Harlow these days

Like · Reply · Message · 1w





**Christopher Paul Flateau** Well it's good news if not overdue. It's become a nightmare dodging cyclists on Broad Walk and the smell of skunk !

[Like](#) · [Reply](#) · [Message](#) · 1w



**Christopher Paul Flateau** ..... Who is going to enforce this?

[Like](#) · [Reply](#) · [Message](#) · 1w



**Keith Elliott** Know it's going to get bad in the future with all the rabbit box homes going up then.

[Like](#) · [Reply](#) · [Message](#) · 1w · Edited



**Lewis Chapman** "Anti social ball games"

[Like](#) · [Reply](#) · [Message](#) · 1w



**Mick Taylor** Thanks to Harlow Council for putting wooden fences on green areas to stop people from parking on the grass a spoiling. The greens areas outside out House's but still need more fences. Thanks for all your hard work

[Like](#) · [Reply](#) · [Message](#) · 1w



**Louise To** I would be very happy with this. I feel the town is a no go area in the evenings. Neighbours have been mugged during the day too. We deserve to feel safe. I'm for this order.

[Like](#) · [Reply](#) · [Message](#) · 1w

You Retweeted



**Harlow Council** @HarlowCouncil · Feb 15

Have your say on #Harlow Town Centre safety...

We're looking to introduce a public space protection order to target antisocial behaviour in the Town Centre and make it a safer place to visit and work in, and we want your views on the plans.

Full story: [harlow.gov.uk/pr19-18](http://harlow.gov.uk/pr19-18)



Retweet 2

Like 1



# Street drinking crackdown plans

## Harlow Council set to introduce protection order

By Gareth Watkins  
gareth.watkins@newsquest.co.uk

**STREET** drinkers, rowdy ball games and rogue cyclists in Harlow town centre are being targeted in a new clampdown.

Harlow Council is set to introduce a public space protection order to target antisocial behaviour.

It will prohibit dangerous cycling, alcohol consumption outside of licensed premises and antisocial ball games.

Eugenie Harvey, councillor responsible for community wellbeing, said: "This is an important piece of work that we hope will have a significant and positive impact on the daily lives of local shoppers, visitors and businesses in the town centre.

"The order is targeted at the minority of people who cause trouble and misery to others either through riding bikes dangerously and at people, drinking alcohol or kicking balls at people or property."

The plans follow a cabinet meeting in July last year in which councillors agreed to con-



**TARGETING PROBLEMS:**  
Eugenie Harvey

sult with the public. The consultation ends on February 28.

Issues that came up the most during a previous consultation were dangerous cycling, antisocial behaviour and litter and alcohol consumption/drug use, with nearly 74 per cent of respondents stating they felt the town centre was affected

by these problems on a daily basis.

The order means any of the prohibited actions can lead to a fine or prosecution and will be enforced by council officers and police.

If the order is introduced it will be put in place for three years, after which time its impact will be reviewed.

Mrs Harvey said: "We know the issues that this order covers are not all that affect the town centre.

"We work closely with the police to tackle the issues that affect our residents and business owners in Harlow, while the police and our own community safety officers carry out patrols. The police can, for example, put dispersal orders in place to deal with issues surrounding large groups of people gathering and there are other more regular daily problems that this order will cover.

"We've gone out and spoken to those who use and work in the town centre in order to target the problems that matter most to them and this order will respond to those concerns."

Visit [harlow.gov.uk/pspo](http://harlow.gov.uk/pspo)

# Makeover has given a primary school's library the wow factor



**TRANSFORMED:** THE library now has pictures including the BFG and Harry Potter on the walls, courtesy of the makeover by a graffiti artist

A GRAFFITI artist has transformed a primary school's library. Roydon Primary Academy, in Roydon, prides itself on having a reading culture and doing all it can to encourage children to read for pleasure.

Year 6 reading leaders, who were chosen as ambassadors to encourage peers to read, decided the library needed to have a makeover to reflect its importance in the school.

A graffiti artist transformed the space, adding images of children's favourite book characters, such as the BFG, Gangster

Granny and Harry Potter, onto the walls. Headteacher Michael Clark said: "We have a strong reading culture and the library is a big part of that. It was, therefore, lovely that the idea of decorating the library came from our children.

"We have worked hard with our parents and PTA to build up an impressive collection of books and a library that is a comfortable place to be.

"These beautiful walls have certainly given it the wow factor that makes children want to talk about it.

"Our library is now a real focal point."

# TRIAL AND

NEW CITY! *Envision Forward*

DDP 4

## **Appendix 5**

### **The consultation**

On 19<sup>th</sup> July 2018 Harlow Council's cabinet members took the decision to consult on the implementation of a Public Spaces Protection Order (PSPO) in Harlow Town Centre.

At the meeting held on the 19<sup>th</sup> July 2018 in the Civic Centre, cabinet considered the report from the Council's Community Safety Team, consisting of evidence collated through public consultations and reported incidents by the police, Harvey Centre and The Water Gardens. Cabinet members agreed with the report recommendations that a PSPO should be consulted on in an attempt to address concerns and issues raised in the report with regards to anti-social behaviour originating from the consumption of alcohol and cycling through the town.

The decision was made to consult on the PSPO following concerns raised over anti-social cycling within the town centre putting users at risk of injury, and that the consumption of alcohol in areas other than licensed premises was having a detrimental impact on the area.

The PSPO, if introduced, will last for three years, after which the Council will review its impact and effectiveness to determine whether changes are required and an extension necessary. Anyone who breaches the order can be fined or prosecuted under the law.

### **Further information**

If you require further information about this consultation please email [contact@harlow.gov.uk](mailto:contact@harlow.gov.uk) or call 01279 446655.

Appendix 6

case id	What is your question regarding	Please enter your question below	Would you like us to contact you	history	statusOfThisCase	yourName	Phone_Number	Email_Address
CS106093832	Alcohol	Do you feel that zero tolerance of alcohol consumption in public spaces would have a positive effect on the other anti-social behaviour?	no	21 Feb 2019 08:53:40 - Stuart Burt - Community Safety - Anon person who doesn't want contacting or reply, marked	Job completed			
CS106000278	Cycling	When will the town council fix all the pot holes and disintegrating surface of the town centre/town's cycle paths? To do so might actually encourage more cyclists to use the paths rather than footpaths plus a campaign to promote the use of the cycle paths	no	21 Feb 2019 08:49:21 - Stuart Burt - Community Safety - Anon Person who doesn't want contacting or reply, marked for PSPO and can be closed.	Job completed			
CS105981018	Cycling	Probably multiple people have mentioned this but people cycling through the town center is an accident waiting to happen. Also there are lots of points cars can get into the pedestrian areas in the town center. This could contribute to a major incident. Also the lighting around the shops where the old cinema is is very dull. Makes me feel uneasy walking around there at night when I come from using the gym.	no	21 Feb 2019 08:47:28 - Stuart Burt - Community Safety - Anon Person who doesn't want contacting, marked for the PSPO and this can be closed.	Job completed			
CS104601124	[Alcohol, Ball games, Cycling]	Is this only going to apply to the town centre and watergardens? or is it going to be spread to the other shopping areas to, which also have the same issues if not greater with motorcycles being ridden through the shopping areas	yes	05 Feb 2019 16:49:53 - Stuart Burt - Community Safety - Please see below email sent to Mr David Wales.	Job completed	David Wales		

## Marysia Rudgley

---

**From:** Matt Cornish CH/INSP 42074231 [REDACTED]  
**Sent:** 28 February 2019 14:23  
**To:** Marysia Rudgley  
**Cc:** Tony Walker INSP 42002525; Craig Saunders SUPT 42077475  
**Subject:** Begging consultation

Hi Marysia,

I understand the PSPO consultation is ongoing at the moment. You will be aware from previous conversations we have had, I am of the view begging should be included. I have given this view to both the leader and the opposition leader in conversations with them.

Within Harlow town centre we are experiencing an increase in begging, and I am aware of public comments around a perceived lack of police activity in this area. It's worth pointing out from the outset that my officers do, and will continue, to deal with aggressive begging within Harlow which can be demonstrated by the recent CBO we have obtained against a known offender.

My concern is around the 'lower level' begging activity, which is not being dealt with at the moment. If we take the view these beggars are vulnerable or homeless, then we are missing safeguarding and referral opportunities; if, however, some are 'professional beggars' then we are enabling their behaviour and allowing it to go unchecked, thereby creating bigger issues such as aggressive begging and ASB. My understanding from our previous conversations is this view is shared by the local homeless charity.

The reason I make this distinction is because I have been given anecdotal information that within Harlow the recent increase is in part because other towns are enforcing their PSPO's, thereby displacing a number of 'professional beggars' to Harlow.

There seems to be a misconception that simply placing begging on the PSPO means we move straight to enforcement, which is something that I think needs to be corrected. Placing it on the PSPO means we have a framework by which we can deal with an individual, and prevent the begging occurring. What the actual intervention looks like in practise can be discussed and we can easily draw up a joint policy to ensure it hits the right level of sensitivity and support. I would see it as something like the first conversation with an individual being 'welfare led' to understand their needs and signpost the correct referrals, should they be seen begging again, having received the referrals then we can consider this is a lifestyle choice and not a necessity, and deal appropriately.

In my view dealing with this at the 'lower' level means we are ensuring vulnerable people are safeguarded properly, preventing 'professional beggars' from operating in Harlow, and preventing escalation to criminal behaviour.

I understand there is a view this should be dealt with under ASB legislation, which I support (and we are doing) for the criminal behaviour, but feel it won't serve to deal with the lower level issues we are currently facing. In my view the PSPO is the mechanism by which this matter can, and should, be managed, and will best serve Harlow.

thanks

**Matthew Cornish**  
**Chief Inspector 74231**  
Harlow District Commander  
Harlow Police Station, The High, Harlow CM20 1HG

☎ 101 [REDACTED]





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## Appendix 8

### Questions for PSPO Consultation

1. Do you think the council should be able to ask someone to stop drinking alcohol in the restricted area and issue a fixed penalty notice if they don't comply?
2. Do you think the Council should be able to confiscate alcohol from street drinkers and issue a fixed penalty if they won't hand it over?
3. Do you think the Council should be able to prevent ball games including any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing or catching apart from at the Table Tennis tables within Market Square?
4. Do you think the Council should be able to issue a fixed penalty notice if they continue to play ball game once asked not to do so?
5. Do you think that the Council should be able to ask someone not to use bicycles, skateboards, scooters or any other self-propelled vehicles (except mobility scooters) between the designated times of 09.00hrs and 18.00hrs as specified within the restricted area and issue a fixed penalty notice if they do so?

Appendix 9

Date	Question 1	Question 2	Question 3	Question 4	Question 5	Question 6	Comments
14/03/19 14:39	yes	yes	no	no	yes	yes	Don't consult just do it
15/03/19 20:37	no	no	no	no	yes	no	Its a shame places for young people to socialise have dwindled over the last few years. The Square, Occasio House and various youth groups were places where young people could be comfortable and relax. Now we're moving into other spaces, you kick up a fuss. So what SHOULD young people do, where SHOULD they go? Because theres nothing left.
15/03/19 20:59	no	yes	yes	no	yes	no	It would be hard to do fixed penalty on any one of a younger age regarding the bicycle also with the drinking it will be harsh on an individual who has an addiction or other health issues to be fined maybe have a name registration system for prolific offenders then you can fine them
15/03/19 21:27	yes	yes	no	no	no	no	Unfortunately that was Harlow Council who agreed to convert offices into flats in the town centre. For that reason I believe that residents should be allowed to play ball games and ride the bikes. The town centre became a residential area where people should be allowed to fully enjoy their lives.
15/03/19 21:39	yes	yes	yes	yes	yes	yes	
15/03/19 21:50	yes	yes	yes	yes	yes	yes	Would like to see anti-social behaviour in terminus street being dealt with especially at the times travelling school children are in the vicinity
15/03/19 21:50	yes	yes	yes	yes	yes	yes	I welcome the cycling restrictions as I have often been nearly knocked over in Broadwalk. As a 72 year old this is very distressing.
15/03/19 22:00	yes	yes	no	no	yes	yes	
15/03/19 22:33	yes	yes	no	no	yes	yes	
16/03/19 00:14	yes	yes	yes	yes	yes	yes	Why isn't begging included?
16/03/19 02:54	yes	yes	yes	yes	yes	yes	
16/03/19 07:06	yes	yes	yes	yes	yes	yes	Cyclists are the main problem in Broad Walk etc . I have seen many near misses with pedestrians because of their speed , lack of care and with the young ones when doing wheelies. It needs to be stopped. Also I must add the smell and use of marijuana is becoming more prevalent within the shopping areas, I see people opening walking along smoking joints on occasions!
16/03/19 09:08	yes	yes	yes	yes	yes	yes	I fully support these proposals. All I ask is that, if implemented, they are enforced.
16/03/19 09:26	yes	yes	yes	yes	no	no	
16/03/19 10:08	yes	yes	yes	yes	yes	yes	
16/03/19 10:32	yes	yes	no	no	yes	yes	Does banning ball games included in the Water Gardens green area? I think it's nice to see young people playing ball games in the summer in the water gardens. As long as it's not causing a nuisance I don't see a problem
16/03/19 11:54	yes	yes	yes	yes	yes	yes	Ban ALL cycling not just dangerous riding. Enforce it too! There is a present ban in The High that is daily ignored.
16/03/19 13:35	yes	yes	yes	yes	yes	yes	Ensure action is taken asap on cyclists who are a danger
16/03/19 14:18	yes	yes	yes	yes	yes	yes	Should make broadwalk a non smoking area as well as it's hard to walk down there or sit there without quiet a few people smoking in your face it's like walking in a cigarette factory not good for people with respiratory problems like asthma etc , just a future suggestion
16/03/19 16:08	yes	yes	no	no	yes	no	Considering the majority of offices are being turned into residential homes and also more being developed plus Dads Wood is next to the town centre where do you expect children to play? The town is declining in shops and is becoming more of a residential area. Are children now being encouraged not to go out and get exercise? Where are they suppose to go? Any other normal street there are balls games
16/03/19 16:56	yes	yes	no	no	yes	yes	To issue a fixed penalty to a homeless person for drinking is absolutely a waste of time. He/she would I suspect would not have any money to start with. For them an offer of help, or referral to a shelter would be more appropriate. The more worrying aspect is drug dealing and the grooming of vulnerable adults and young people. This is by far the most important thing to be dealt with.
16/03/19 17:11	yes	yes	no	no	yes	yes	Also need to add to this a part where begging selling heather etc is banned from the town as this is not welcoming to visitors and can be scary to older and vulnerable people. Also need to control the issue outside macdonalds groups of teenagers. And also chuggers need to be included nothing worse than being hounded in the street by these saying have you got a minute . All of these issues make the town a unwelcoming place. That I avoid . I use Harvey centre and leave .
17/03/19 09:00	yes	yes	yes	yes	yes	yes	Could you also do the same for smokers who just throw their dog ends on the floor?
17/03/19 13:31	yes	yes	yes	yes	yes	yes	
17/03/19 16:56	yes	yes	yes	yes	yes	yes	
17/03/19 22:12	yes	yes	no	no	yes	yes	
18/03/19 15:53	yes	yes	yes	yes	yes	yes	Do something about the drunken layabouts in who hide under the ramp at the bus terminus.
18/03/19 18:05	yes	yes	yes	yes	yes	yes	
18/03/19 19:39	yes	yes	yes	yes	yes	yes	I have seen at least three people knocked into by cyclists in the town centre, one old lady quite badly hurt.

19/03/19 16:01	yes	yes	yes	yes	yes	yes	Begging Homeless, not genuine Big Issue people, outside empty Heart Foundation shop, he throws food everywhere, begs for cigarettes. Streets from Home provide showers and food same with St Paul's Tuesday and Fridays. Beggars are keeping public away from Town Centre, it is an offence to beg, so why are the public including myself being targeted every day. Our Town is a shambles it is dirty uninviting, we need to put the Heart back into Harlow I am ashamed to live here, I want to be able to feel proud again, of Harlow.
19/03/19 18:26	yes	yes	yes	yes	yes	yes	
20/03/19 21:00	yes	yes	no	no	no	no	In my opinion this proposal is serving a very narrow interest and criminalising ; mainly young people for activities they should be able to enjoy in the town centre. Harlow Council should rather encourage people to be active. For many families town centre is where they live and their children should not be deprived of playing ball games or riding bikes.
25/03/19 14:08	yes	yes	yes	yes	yes	yes	
25/03/19 14:55	yes	yes	yes	yes	yes	yes	
25/03/19 19:48	yes	yes	yes	yes	yes	yes	I think this is a great idea and is needed. I have witnessed far too many incidents from children/young teens have been riding bikes irresponsibly and have caused harm to others.
25/03/19 19:57	yes	yes	no	no	no	no	This stuns me! Harlow town centre is already dire, cold and unwelcoming. It lacks accessibility, it lacks any feel of connectivity. Rather than seeking to make our centre more welcoming and, accessible and inclusive, you plan to make it even worse that it already is. You should be seeking to accommodate sporting activities, making the town centre more welcoming. You should be promoting healthy activities, not issuing fines. You should be promoting and encouraging sustainable modes of transport in and around the town, not issuing fines. This town and its council is deeply outdated and out of touch. Look around at how other towns embrace and encourage sporting activities and cycling. But not Harlow. Here, we exclude and punish. Just another nail in the coffin of this derelict town centre. I've lived in Harlow for 8 years and to be frank, it's by far the worst town I've lived or worked. I like to walk and keep active yet this town only promotes travel by car. Pedestrian and cycle routes are disjointed and severed by excessive guard rails and impassable roads. There is little to nothing to keep me here and when I can, I will be leaving, I hope within the next year. If you chose not to embrace and or seek to find ways to accommodate healthy activities within the town, and instead slap people with fines, it'll be just another reason for me to turn my back in this town, a town run by council full of dinosaurs!
25/03/19 19:58	yes	yes	yes	yes	yes	yes	
25/03/19 20:03	yes	yes	yes	yes	yes	yes	
25/03/19 20:07	yes	yes	yes	yes	yes	yes	
25/03/19 20:08	yes	yes	yes	yes	yes	yes	
25/03/19 20:22	yes	yes	yes	yes	yes	yes	
25/03/19 20:26	yes	yes	yes	yes	yes	yes	As a keen cyclist (leisure) I do ride through the town centre occasionally. Using common sense, if it's busy I walk. Unless there is a major problem I would leave things as they are and let common sense prevail. Drinking in public places, (shopping centres etc) should not be allowed. It sets a terrible example to the town's youngsters and is not something you want to see whilst shopping. Born and bred in Harlow, used most of its pubs in my life, no need to hang around public areas.
25/03/19 20:34	yes	yes	yes	yes	yes	yes	Harlow resident since birth, fed up of bikes and bad behaviour in our town center.
25/03/19 20:38	yes	yes	no	no	no	yes	
25/03/19 20:45	yes	yes	yes	yes	yes	yes	
25/03/19 20:56	yes	yes	yes	yes	yes	yes	
25/03/19 21:07	yes	yes	yes	yes	yes	yes	Why is aggressive begging not included, also busking near to the residential units in the town
25/03/19 21:17	yes	yes	yes	yes	yes	yes	These PSPO's should be in place. In addition there should be PSPO's for buskers and alleged homeless persons (I saw one getting out a car recently before "pretending" to be homeless and then setting up camp in the town. This should also be extended to other shopping areas in case they try and move on. Why are there not PSPO's for these areas too? The buskers should have strict hours of performance and should be banned from swearing in their lyrics (as the recent buskers outside McDonalds we're doing), especially as children may be about. Buskers and homeless issues are more frequent than ball games!!
25/03/19 21:22	yes	yes	yes	yes	yes	yes	
25/03/19 21:53	yes	yes	yes	yes	yes	yes	A lot of people dangerously cycling in the town especially when it is very busy, I've seen a lot of near misses.
25/03/19 21:59	yes	yes	yes	yes	yes	yes	
25/03/19 22:24	yes	yes	yes	yes	yes	yes	My husband very nearly got knocked down by a teenager riding bike with one wheel in the air. He was lucky, it would have been a bad accident
26/03/19 09:11	yes	yes	yes	yes	yes	yes	Every time I visit the town centre there's always strong smell of cannabis by the bus station.

							<p>I have lived in Harlow for over 45 years and it is a disgrace, once where I was proud of living and being in Harlow I now find myself embarrassed of the place and most of the people in it. Terminus House is a disgrace how many of London's unwanted and unwashed are Harlow residents expected to take and accept. Terminus House in my view is now Terminal house the death of the centre of Harlow.</p> <p>But in the same breath you put up the council tax £8 a month for hard working people to subsidise these mad plans.</p> <p>My wife and I have had to endure ant social behaviour on and off for about 8 years at Harlow town station</p> <p>The town centre has been ruin and Harlow is on its way to become an Essex ghetto and the council are to blame and that is where the buck should stop</p>
28/03/19 16:06	yes	yes	yes	yes	yes	yes	
28/03/19 18:31	yes	yes	yes	yes	yes	yes	I can not think of any reason why anyone should say NO to your questions. Unless you happen to be a perpetrator.
29/03/19 16:05	yes	yes	yes	yes	yes	yes	I also think the issue of buskers should be addressed. They are increasing in number and volume and play for longer periods of time. I think it is unacceptable for them to be using amps as the sound carries as far as the Civic Centre offices and I know that staff working in the library find it hard to concentrate when they are playing. I think the buskers should have to obtain a licence from the Council and that the volume and length of time that they play should be restricted to much more reasonable levels. This is a problem that is only going to increase as the weather improves.
29/03/19 16:33	yes	yes	yes	yes	yes	yes	
01/04/19 07:09	yes	yes	yes	yes	yes	yes	All of the above if not tackled can put visitors off from visiting the Town Centre: intimidating, dangerous. Elderly, vulnerable, young children could easily be hurt. Perhaps skateboarders and those on bikes wanting to do wheelies should be encouraged to use dedicated areas, or per
01/04/19 08:55	yes	yes	yes	yes	yes	yes	

**Marysia Rudgley**

---

**From:** Contact Harlow  
**Sent:** 28 March 2019 13:07  
**To:** Marysia Rudgley  
**Cc:** Niel Churchill  
**Subject:** FW: PSPO Town Centre

Hi Marysia,

FYI,

Best wishes,

Contact Harlow

Harlow Council, Civic Centre, The Water Gardens, Harlow, Essex, CM20 1WG  
Contact Harlow - 01279 446655

Visit our website [www.harlow.gov.uk](http://www.harlow.gov.uk)

Follow us on twitter @HarlowCouncil



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**From:** Martin John Harris [REDACTED]  
**Sent:** 28 March 2019 12:42  
**To:** Contact Harlow  
**Subject:** PSPO Town Centre

Dear Sir or Madam

Thank you for your public spaces protection order consultation.

In broad terms I support this but would raise the following points for consideration:

1 Ball games: is there a way that for example young children engaging in this activity, perhaps bouncing a ball in the street, can be excluded or otherwise assured that they would not be unreasonably dealt with?

2 Cycling: people may wish to wheel their bicycle into for example a car parking area covered by the restriction. Is there a way that wheeled bikes could be permitted in some at least of the area?

Thank you for your care for our community and especially in this instance town centre.

Best wishes, Martin

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Martin Harris

Team Rector St Paul's and St Mary's Church



website: <http://stpaulsandstmarysharlow.co.uk>

## Marysia Rudgley

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**From:** Ray Chapman  
**Sent:** 14 March 2019 17:13  
**To:** Stuart Burt; Marysia Rudgley; Carolyn Cable  
**Subject:** Fwd: Harlow Town Centre PSPO Consultation

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**From:** Michael Garnett <[michael.garnett@harlow.gov.uk](mailto:michael.garnett@harlow.gov.uk)>  
**Sent:** Thursday, 14 March 2019 15:36  
**To:** Ray Chapman <[ray.chapman@harlow.gov.uk](mailto:ray.chapman@harlow.gov.uk)>  
**Subject:** Re: Harlow Town Centre PSPO Consultation

No comments other than if it makes out Town Centre somewhere all residents and visitors can feel safe then great please extend it.

Cllr. Mike Garnett.

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**From:** Ray Chapman <[ray.chapman@harlow.gov.uk](mailto:ray.chapman@harlow.gov.uk)>  
**Date:** 14 March 2019 at 10:23:42 GMT  
**To:** Jodi Dunne <[jodi.dunne@harlow.gov.uk](mailto:jodi.dunne@harlow.gov.uk)>, Mark Ingall <[mark.ingall@harlow.gov.uk](mailto:mark.ingall@harlow.gov.uk)>, Eugenie Harvey <[eugenie.harvey@harlow.gov.uk](mailto:eugenie.harvey@harlow.gov.uk)>, Mark Wilkinson <[mark.wilkinson@harlow.gov.uk](mailto:mark.wilkinson@harlow.gov.uk)>, Emma Toal <[emma.toal@harlow.gov.uk](mailto:emma.toal@harlow.gov.uk)>, Maggie Hulcoop <[maggie.hulcoop@harlow.gov.uk](mailto:maggie.hulcoop@harlow.gov.uk)>, Edna Stevens <[edna.stevens@harlow.gov.uk](mailto:edna.stevens@harlow.gov.uk)>, Shannon Jezzard <[shannon.jezzard@harlow.gov.uk](mailto:shannon.jezzard@harlow.gov.uk)>, Mike Danvers <[Mike.Danvers@harlow.gov.uk](mailto:Mike.Danvers@harlow.gov.uk)>, Clive Souter <[clive.souter@harlow.gov.uk](mailto:clive.souter@harlow.gov.uk)>, Russell Perrin <[russell.perrin@harlow.gov.uk](mailto:russell.perrin@harlow.gov.uk)>, Nick Churchill <[nick.churchill@harlow.gov.uk](mailto:nick.churchill@harlow.gov.uk)>, Andrew Johnson <[andrew.johnson@harlow.gov.uk](mailto:andrew.johnson@harlow.gov.uk)>, Simon Carter <[simon.carter@harlow.gov.uk](mailto:simon.carter@harlow.gov.uk)>, Tony Hall <[tony.hall@harlow.gov.uk](mailto:tony.hall@harlow.gov.uk)>, Jean Clark Cllr <[jean.clark@harlow.gov.uk](mailto:jean.clark@harlow.gov.uk)>, Chris Vince <[chris.vince@harlow.gov.uk](mailto:chris.vince@harlow.gov.uk)>, Anthony Durcan <[anthony.durcan@harlow.gov.uk](mailto:anthony.durcan@harlow.gov.uk)>, Sue Livings <[sue.livings@harlow.gov.uk](mailto:sue.livings@harlow.gov.uk)>, Michael Garnett <[michael.garnett@harlow.gov.uk](mailto:michael.garnett@harlow.gov.uk)>, Joel Charles <[joel.charles@harlow.gov.uk](mailto:joel.charles@harlow.gov.uk)>, Frances Mason <[frances.mason@harlow.gov.uk](mailto:frances.mason@harlow.gov.uk)>, Phil Waite <[phil.waite@harlow.gov.uk](mailto:phil.waite@harlow.gov.uk)>, Tony Edwards <[tony.edwards@harlow.gov.uk](mailto:tony.edwards@harlow.gov.uk)>, Eddie Johnson <[eddie.johnson@harlow.gov.uk](mailto:eddie.johnson@harlow.gov.uk)>, 'Shona.johnson@harlow.co.uk' <[Shona.johnson@harlow.co.uk](mailto:Shona.johnson@harlow.co.uk)>, David Carter <[david.carter@harlow.gov.uk](mailto:david.carter@harlow.gov.uk)>, Bob Davis <[bob.davis@harlow.gov.uk](mailto:bob.davis@harlow.gov.uk)>, Lanie Shears <[lanie.shears@harlow.gov.uk](mailto:lanie.shears@harlow.gov.uk)>, Danny Purton <[danny.purton@harlow.gov.uk](mailto:danny.purton@harlow.gov.uk)>, John Strachan <[john.strachan@harlow.gov.uk](mailto:john.strachan@harlow.gov.uk)>, Stefan Mullard <[stefan.mullard@harlow.gov.uk](mailto:stefan.mullard@harlow.gov.uk)>, Michael Hardware <[michael.hardware@harlow.gov.uk](mailto:michael.hardware@harlow.gov.uk)>  
**Subject:** Harlow Town Centre PSPO Consultation

### **Re: Proposed Public Spaces Protection Orders (PSPOs)**

Dear Sir/Madam

Further to our previous letter regarding the proposed Public Spaces Protection Orders (PSPO) in Harlow Town Centre.

We are writing to inform you of our intention to extend the consultation period for the PSPOs by an additional 28 days, subsequently the deadline for your opportunity to make representations with regard to any aspect of the proposed PSPOs will be 12<sup>th</sup> April 2019.

Please see attached File.

Kind Regards  
Ray Chapman  
Community Safety Officer  
Community Safety Team

Tel: 01279446203

Visit our website [www.harlow.gov.uk](http://www.harlow.gov.uk)  
Follow us on twitter @HarlowCouncil

Harlow Council, Civic Centre, The Water Gardens, Harlow, Essex, CM20 1WG



## ***ANTI-SOCIAL BEHAVIOUR POLICY***

### **1. Introduction**

Harlow Council recognises that the problems created by Anti-social Behaviour (ASB) need to be addressed in a robust but proportionate manner. Residents are entitled to live in a quiet and peaceful environment and where appropriate the Council will aim to act quickly and efficiently to tackle incidents of ASB.

The Council's ASB Policy applies to tenants, residents, businesses, visitors and any other occupants. The same principles apply to members of staff and other people working on behalf of the Council.

In response to the Anti-social Behaviour, Crime and Policing Act 2014 Harlow Council has introduced a Corporate Policy, Procedures and Guidance.

This Policy should be read in conjunction with Harlow Council's Community Safety Teams Anti-social Behaviour Procedures and Guidance appendix 2, Housing Management Anti-social Behaviour Procedures and Guidance appendix 3 and Environmental Health Services Procedures and Guidance appendix 4.

### **2. The Council's responsibilities in respect of Anti-social Behaviour**

The Council has a wide range of responsibilities to tackle anti-social behaviour. These arise from three distinct roles which are:

- The Council's role as a Responsible Authority of the Safer Harlow Partnership (SHP) as defined by the Crime and Disorder Act 1998. The Act states that the Council must work with the police and other agencies to reduce crime and disorder. Harlow Council makes a significant contribution when dealing with anti-social behaviour.
- The Council has a role in responding to anti-social behaviour affecting private properties, businesses and open public spaces.

- As a landlord the Council has a duty to respond to anti-social behaviour affecting the properties we manage. Our landlord duties and powers are in addition and compliment the duties and powers we have to deal with anti-social behaviour in the wider community.
- The Council has a range of responsibilities to deal with 'Environmental' ASB such as noise, litter, bonfires, dumped rubbish and abandoned cars. These responsibilities arise from a number of Acts, but in particular the Environmental Protection Act 1990.

Whilst these are distinct roles, there are very strong links between all four and close working arrangements have been developed between teams that deliver the various services. ASB is tackled by a number of different teams within the Council, each works to its own set of procedures.

- We will consider all possible powers, civil and criminal, available to us and take appropriate action.
- We will forward reports of anti-social behaviour to the Police where necessary.
- Enforcement action against anti-social behaviour can take an informal, quasi-legal, or legal form. Prompt, targeted action is sometimes more successful than drastic action for tackling ASB before it escalates.

### **3. What is Anti-Social Behaviour**

The Anti-social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:-

- (a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation or residential premises, or;
- (c) conduct capable of causing housing-related nuisance or annoyance to any person.

Anti-social Behaviour covers the range of behaviour from low-level nuisance to serious harassment, which can damage the quality of life and interfere with the ability of people to use and enjoy their home or community.

#### **4. Reporting and dealing with Anti-social Behaviour**

As part of our continued commitment to address anti-social behaviour and the perception that anti-social behaviour is a problem in Harlow, in partnership we will:

- Work to ensure reporting anti-social behaviour is as easy as possible. Take all reports seriously, by recording and investigating all cases, and keep victims informed of action taken.
- Ensure that all victims and witnesses are treated fairly, with dignity and respect; listen to victims and provide ongoing support where appropriate, particularly to those victims considered vulnerable.
- Support victims of Anti-social Behaviour by providing practical support in partnership with victim support agencies to address victim's needs.
- Share relevant information and intelligence on anti-social behaviour with partners; analyse information to identify repeat victimisation, known perpetrators and affected parties and respond speedily to such intelligence.
- Tell the public what we are doing to tackle anti-social behaviour so they have the confidence to report issues, and encourage residents to play their part in reducing anti-social behaviour.
- Ensure that the Safer Harlow Partnership provides suitable routes which communities or individuals can raise concerns when it is considered that anti-social behaviour is not being taken seriously.
- Through education and early intervention, work to reduce and where possible prevent anti-social behaviour and the perception that anti-social behaviour is a problem in our communities.
- Respond in a timely manner to reports of breaches of anti-social behaviour enforcement measures.

#### **5. Working with partners in order to deliver an effective, value for money Anti-social Behaviour Service across the community**

Harlow Council will play a full part as a lead member of the Safer Harlow Partnership and in partnership we will:

- Participate in relevant strategic or preventative initiatives, being mindful of our core activities, current workload and cost of participation relative to the likely benefits.
- Participate in multi-agency workgroups dealing with specific ASB issues.
- Work with registered social landlords, private landlords, letting agents, education establishments and businesses, providing professional advice and support as

required so that organisations can act confidently to prevent or tackle ASB making use of their own resources.

## **6. Anti-social behaviour will be addressed firmly, fairly and proportionately**

Harlow Council will:

- Take any reasonable early action to protect people and property.
- Investigate the circumstances and seek to understand all the facts of any matter reported to the council.
- Use the tools and powers available to the council under current legislation, council policy and according to the council's best professional judgment.
- Take into account (and adjust our approach as necessary) when a victim or a perpetrator is a vulnerable person.
- Not necessarily intervene in low level disputes between households concerning minor lifestyle differences.
- With the consent of people involved, the council may refer suitable low-level cases to a mediation service.

## **7. Concerns for children, young people or vulnerable adults**

During the course of an investigation an officer may come across a person whose welfare may raise concerns. Whether or not the subject has a direct connection to the case under investigation, it remains the duty of officers to ensure that these concerns are properly logged and the council's Safeguarding Policy is adhered to.

## **8. Information Sharing**

Where appropriate, the council will share information with relevant partners so the council can carry out its functions and duties in accordance with the Crime and Disorder Act 1998.

The council will work within the provisions of the Data Protection Act which provides a background for the sharing of information and the need for confidentiality and privacy.

## **9. Discretion**

This policy commits the council to deal with anti-social behaviour in a way that will be fair and, in all important respects, consistent across cases of a similar kind. However, our services are constantly evolving and each anti-social behaviour case we deal with is likely to be unique in some or other aspect. This means that we may occasionally use our discretion to vary our approach from that described in this policy.

## **10. Complaints**

- 10.1. Where members of the public feel that positive action is not taking place to deal with anti-social behaviour they can complain by contacting the Council and requesting a copy of the Complaints procedure which provides step by step guidance on making a complaint.
- 10.2. Where members of the public have made three complaints of ASB or one complaint of Hate Crime in a qualifying six month period where no action has been taken the complainant can make an application for an Anti-social Behaviour Case Review (Community Trigger)
- 10.3. Any application for ASB Case Review will adhere to the Essex model as agreed by all local authorities and the Office of the Police and Crime Commissioner (OPCC)
- 10.4. ASB Case Reviews that meet the threshold for review will be managed in accordance to Harlow Council's ASB Case Review Guidance:

<http://www.harlow.gov.uk/anti-social-behaviour-case-review-guidancepdf>

## **11. Tools available to tackle Anti-social Behaviour**

### **11.1 Mediation**

In many cases of anti-social behaviour, mediation can be an effective tool, solving the issue by bringing all parties to the table. This can be very effective in neighbour disputes and lifestyle differences and similar situations where it is difficult to identify the victim and the perpetrator.

For mediation to deliver long-term solutions, those in dispute should agree a solution. Mediation can be arranged by The Community Safety Team, the Housing Department and Environmental Health, it is not for the mediator to establish a solution to the issue as, in most cases, they will have already tried this with each party unsuccessfully. For mediation to deliver long-term solutions, those in dispute should agree a solution.

## **11.2 Acceptable Behaviour Contracts**

Acceptable Behaviour Contracts are a voluntary contract between a perpetrator of anti-social behaviour and the agency or agencies acting to prevent that behaviour usually the Council and the Police. The contract will contain a number of anti-social behaviour acts that the person has been involved in and agrees not to continue together with positive measures.

The acceptable behaviour contract is not legally binding and usually lasts for six months. If a person fails to attend the interview or does not agree to sign, the contract may be used as evidence in any further court action. If the person breaches the conditions of the contract, enforcement action may be taken and this may include seeking an injunction. Acceptable behaviour contracts are a tool available to the Community Safety Team, Housing Services and Environmental Health.

## **11.3 Civil Injunctions**

Anti-social Behaviour Orders were introduced by the Crime and Disorder Act 1998. They are Civil Orders designed to protect the public from behaviour that causes or is likely to cause harassment, alarm or distress.

The Anti-social Behaviour, Crime and Policing Act 2014 introduced the Civil Injunction which replaced Anti-social Behaviour Orders and the Anti-social Behaviour Injunction.

The purpose of the civil injunction is to offer fast and effective protection for victims and communities and set a clear standard of behaviour for perpetrators, stopping the person's behaviour from escalating and can be applied for by local councils, social landlords, Police including the British Transport Police.

The civil injunction can be used to deal with a wide range of behaviours, many of which can cause serious harm to victims and communities in both housing and non-housing related situations.

A civil injunction is issued by the County Court and High Court for those over eighteen and in the Youth Court for under eighteens. Breach of an injunction is not a criminal offence, but the breach must be proven to the criminal standard, that is, beyond reasonable doubt. Guidance for Civil Injunctions can be found in the Community Safety Team Anti-social Behaviour Investigation Procedures see appendix 2 page 11, para 13.1

## **11.4 Criminal Behaviour Orders**

The Criminal Behaviour Order is available on conviction for any criminal offence in any criminal court. The order is aimed at tackling the most serious and persistent offenders where their behaviour has brought them before a criminal court.

The Criminal Behaviour Order can deal with a wide range of anti-social behaviours following the individual's conviction for a criminal offence. It is a criminal offence if an offender fails to comply, without reasonable excuse, with either the requirements or prohibitions in the Criminal Behaviour Order. The court has the power to impose serious

penalties on conviction, including on summary conviction in the magistrates court a maximum of six months in prison or a fine or both or on conviction on indictment in the crown court a maximum of five years in prison or a fine or both. Guidance for Criminal Behaviour Orders can be found in the Community Safety Team Anti-social Behaviour Investigation Procedures see appendix 2 page 17, para 13.2.

### **11.5 Community Protection Notice**

The Community Protection Notice is intended to deal with particular ongoing problems or nuisances which negatively affect the community's quality of life by targeting those responsible.

A Community Protection Notice can be issued if the Council is satisfied on reasonable grounds that the conduct of the individual, business or organisation is having a detrimental effect on the quality of life of those in the locality which is persistent or continuing in nature and is unreasonable.

Possible sanctions for breach of the notice include a fixed penalty notice, paying for remedial work or forfeiture of items. Guidance for Community Protection Notices can be found in the Community Safety Team Anti-social Behaviour Investigation Procedures see appendix 2 page 21, para 13.3.

### **11.6 Public Space Protection Order**

Local Authorities have the power to make Public Space Protection Orders, Public Space Protection Orders are intended to deal with a particular nuisance or problem in a specified area that is detrimental to the local communities quality of life, by imposing conditions on the use of that land. They are designed to ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. Duration of Public Space Protection Orders are valid for a period of three years.

Sanctions for breach of an order include a fixed penalty notice or summary conviction in the magistrate's court to a fine not exceeding £500. Guidance for Public Space Protection Orders can be found in the Community Safety Team Anti-social Behaviour Investigation Procedures see appendix 2 page 28, para 13.4.

### **11.7 Anti-Social Behaviour Injunction**

The Housing Act 1996 sections 153a, 153b, 153c, and 153d enable social landlords to apply to the court for an injunction to prevent anti-social behaviour, unlawful use of premises and breaches of conditions of tenancy. An injunction is a civil remedy obtained through the County Court and either compels a person to do something or forbids a person from doing something.

The Housing Act 1996 also allows for a power of arrest in relation to a breach or an anticipated breach of the terms of the tenancy agreement. Guidance for Anti-social Behaviour Injunctions can be found in the Community Safety Team Anti-social Behaviour Investigation Procedures see appendix 2 page 11, para 13.1.

## **11.8 Demoted Tenancy**

Sections 14 and 16 of the Anti-social Behaviour Act 2003 allow the local housing authority to apply to the court for a demotion order, which when applied to a secure tenancy results in a non-secure tenancy. This removed the tenants "Right to Buy", Right to Exchange", and their security of tenure for a minimum of one year, If however the behaviour of the tenant is modified within this period, a new secure tenancy agreement is issued. Guidance for Demoted Tenancies can be found in the Housing management Anti-social Behaviour procedures see appendix 3 page 14, para 10.7.

## **11.9 Possession Orders**

Possession proceedings allow landlords to apply for and possibly take back possession of a property in cases where there has been a breach of the tenancy.

A Notice of Seeking Possession will be served in the first instance and then an application to the County Court for a hearing must be made. It is at this hearing the judge will decide if it is reasonable for the perpetrator to lose their home. Guidance for Possession Orders can be found in the Housing management Anti-social Behaviour procedures see appendix 3 page 11, para 10.4.

## **11.10 Amendments to the Discretionary Grounds for Eviction**

Section 98 of the Anti-social Behaviour Crime and Policing Act 2014 inserted new provisions into the 1985 and 1988 Acts to enable the landlord to seek possession where a tenant (or a person living in or visiting the tenants home) is guilty of conduct likely to cause nuisance or annoyance to the landlord, or someone employed in connection with the landlords management functions. There is no requirement for this conduct to have taken place within the locality of the tenant's home. Guidance for amendments to the discretionary grounds for eviction can be found in the Housing management Anti-social Behaviour procedures see appendix 3 page 12, 10.5.

## **11.11 Closure Orders**

Section 4 of The Anti-Social Behaviour, Crime and Policing Act 2014 Act gives the Council and/ or the Police powers to issue a closure notice in respect of premises that are being used, or are likely to be used, to commit nuisance or disorder.

Following service of the Notice an application must then be made for a Closure Order to the Magistrates Court within 48 Hours. An order can be granted for up to 3 months initially and possibly extended to 6 months during which time entering or remaining in the premises is an offence and the property will be sealed.

As the landlord, where a Closure Order is granted possession proceedings should commence as soon as possible after the order has been made, unless there are

extenuating circumstances not to seek a possession order. Guidance for Closure Orders can be found in the Community Safety Team Anti-social Behaviour Investigation Procedures see appendix 2 page 33, para 13.5.

<b>Policy Author:</b>	Marysia Rudgley
<b>Approved &amp; Authorised:</b>	Cabinet
<b>Dated authorised:</b>	15 October 2015

### Revision History

**Date of this revision:**

**Date of next planned revision:**

Revision date	Summary of Changes	Changes marked

**REPORT TO:** CABINET

**DATE:** 20 JUNE 2019

**TITLE:** AWARD OF TELECOMS MANAGEMENT CONTRACT AT HARLOW SCIENCE PARK

**PORTFOLIO HOLDER:** COUNCILLOR TONY DURCAN, PORTFOLIO HOLDER FOR ECONOMIC GROWTH

**LEAD OFFICER:** ANDREW BRAMIDGE, PROJECT DIRECTOR – ENTERPRISE ZONE AND INTERIM HEAD OF PLANNING (01279) 446410

**This is a Key Decision**  
**It is on the Forward Plan as Decision Number I009897**  
**Call-in Procedures may apply**  
**This decision will affect Old Harlow Ward.**

**RECOMMENDED that:**

- A** Cabinet approves the appointment of Bridge Fibre Limited to provide a telecoms management service to Harlow Council on the Harlow Science Park.
- B** The final terms and completion of the contract are delegated to the Head of Finance and Deputy to the Managing Director in consultation with the Portfolio Holders for Finance and for Economic Development.

**REASON FOR DECISION**

- A** The Council has installed telecoms infrastructure throughout the 27 acres of the Harlow Science Park that is within the Council's ownership. This infrastructure consists of a twin BT network as well as a six duct 'landlord's network' to enable the future provision of a wide range of fibre optic services. Given that the Council owns this network we have the ability to manage our own services and provide these to occupiers of the Science Park.
- B** To deliver such a service, the Council embarked on a procurement exercise to select a provider to supply, install and manage information and communications technology services to businesses on the Science Park on behalf of Harlow Council. It is intended that the service be operational from September 2019 upon completion of the first two buildings on the site. The contract will operate as a concessions service with a proportion of the income generated from the contract being provided to the Council. There will be no capital or revenue costs to the Council in the delivery of this service.

## **BACKGROUND**

1. The contractor will be required to fund and provide:
  - a) Telephone and internet services to businesses on the Science Park.
  - b) Agreement of terms with fibre providers to the site.
  - c) Management of the relationship with BT in connection with the BT Openreach network on the site.
  - d) A central communications hub for the Science Park, to be located in the Nexus building, which will include back up power supply.
  - e) Cabling within buildings and installation of equipment such as routers.
  - f) A free wi-fi service across the Science Park.
  - g) Commitment to provide 99.99 per cent availability of internet services.
  - h) A sales and marketing strategy to secure subscribers to a Harlow Science Park service.
  - i) Provision of a 24 hour engineer response service.
  - j) A relationship with Kao Data to ensure the provision of data centre services to occupiers of the Science Park at advantageous rates.
  - k) An 'open book' accounting system to ensure financial transparency.
2. All costs associated with the delivery of the service are to be met by the contractor with the Council taking a share of the profits from the delivery of the service. However, it has never been expected that this will be a significant revenue generator for the Council. The key objective is to deliver a high quality service to the tenants of the Science Park that is controlled through the Council's management of the Park.
3. The tender documentation proposed a ten year operating period given the capital investment that will be required by the contractor and the fact that the Council will not be contributing to this.
4. The Council secured professional advice from our utilities contractors, Hilson Moran, on the design of the service specification prior to undertaking a competitive tendering exercise.

## **ISSUES/PROPOSALS**

5. In February 2019 the Council commenced a procurement exercise to appoint a contractor to deliver this service with a closing date for receipt of tenders of 15

March 2019. Through this process, 15 expressions of interest were received from organisations who requested a full tender pack.

6. Ultimately however, only one full tender was received from Bridge Fibre Ltd. Following assessment of the tender it was found to be fully compliant with the Council's requirements.
7. Bridge Fibre are an established provider of telecoms services to Science and Business Parks across the UK. Based in Cambridge, they provide services to over 30 locations including Cambridge Science Park, Granta Park, Chesterford Research Park, Norwich Research Park and Bristol & Bath Science Park amongst others. As such they have a demonstrable track record of providing similar services to similar developments.
8. Bridge Fibre have accepted the Council's desire that the Council should not bear any capital or revenue costs associated with the delivery of this service. They have also proposed that the Council will receive a five per cent revenue share until such time as Bridge Fibre have recouped initial capital investment, following which the Council will receive a ten per cent share. This is consistent with the expectations that were set by the Council, following external advice, of an income share of between five per cent and ten per cent.
9. It is difficult to predict what this may translate to in terms of actual income as this will entirely depend upon the level of occupancy at the Harlow Science Park and the rate at which it is built out. It will also depend upon the success at which the contractor is able to sell services to occupiers, given that the occupiers will always have the option to contract for their own services via BT. However, it could mean an income of perhaps between £6,000 and £10,000 per annum for the Council.
10. An initial discussion has been held with Bridge Fibre to scope out the range of services to be offered. This will include the provision of one Gigabit broadband to each tenant on the Science Park, the development of a direct connection to Kao Data, a 'smart campus'/wireless roaming facility, support to the marketing of the Science Park by highlighting the high quality of IT infrastructure and also the exploration of potential provision of enhanced services to neighbouring residential areas.
11. It is therefore recommended that Bridge Fibre Ltd are appointed as the Council's preferred supplier of ICT services to the Harlow Science Park with the final contact details to be negotiated to enable a service commencement in September 2019.

## **IMPLICATIONS**

### **Place (Includes Sustainability)**

There are no specific planning implications for this contract award.

**Author: Andrew Bramidge, Project Director – Enterprise Zone and Interim Head of Planning**

**Finance (Includes ICT)**

As detailed within the report.

**Author: Simon Freeman, Head of Finance and Deputy to the Managing Director**

**Housing**

None specific.

**Author: Andrew Murray, Head of Housing**

**Community Wellbeing (Includes Equalities and Social Inclusion)**

As contained within the report.

**Author: Jane Greer, Head of Community Wellbeing**

**Governance (Includes HR)**

As set out in the report, contract provisions have been correctly followed.

**Author: Simon Hill, Head of Governance**

**Appendices**

None.

**Background Papers**

None.

**Glossary of terms/abbreviations used**

None.

# **Harlow Council Cabinet Portfolios 2019/20**

**Portfolio:** Leader  
**Portfolio Holder:** Mark Ingall

Areas of Responsibility	Key Strategic Policies and Areas
HTS <ul style="list-style-type: none"><li>Overview of HTS Corporate Development</li></ul>	Corporate Plan

**Portfolio:** Community and Wellbeing  
**Portfolio Holder:** Eugenie Harvey

Areas of Responsibility	Key Strategic Policies and Areas
<p>Community, Leisure and Culture</p> <ul style="list-style-type: none"> <li>• The Playhouse</li> <li>• The Leah Manning Centre</li> </ul> <p>Contact Harlow</p> <ul style="list-style-type: none"> <li>• Cash Office</li> </ul> <p>Communications</p> <p>Youth and Citizenship</p> <ul style="list-style-type: none"> <li>• Neighbourhood Forums</li> <li>• Residents Associations</li> <li>• Vulnerable Adults</li> </ul> <p>Electoral Services</p> <ul style="list-style-type: none"> <li>• Electoral Reviews</li> </ul> <p>Environmental Health</p> <ul style="list-style-type: none"> <li>• Public Health</li> <li>• Food Safety</li> <li>• Health and Safety</li> </ul> <p>Community Safety</p> <ul style="list-style-type: none"> <li>• Anti-Social Behaviour</li> <li>• Environmental Crimes</li> <li>• Partnership Working with the Police</li> <li>• Safer Harlow Partnership</li> <li>• Paddling Pools</li> <li>• Emergency Planning</li> </ul> <p>Young People</p> <ul style="list-style-type: none"> <li>• Youth Council</li> <li>• Sam's Place</li> <li>• Youth Services</li> <li>• Schools and College Liaison</li> <li>• Children's Centre Liaison</li> <li>• Harlow Children's Partnership</li> <li>• Young People and the Protection of Vulnerable Children</li> </ul>	<p>Health and Wellbeing Strategy</p> <p>Mental Health Strategy</p> <p>Customer Services Review</p> <p>Community Engagement Strategy</p> <p>Apprenticeships</p> <p>Anti-social Behaviour</p> <p>Safeguarding Policy</p> <p>Harlow Museum</p>

**Portfolio: Economic Growth**  
**Portfolio Holder: Tony Durcan**

Areas of Responsibility	Key Strategic Policies and Areas
<p>Enterprise</p> <ul style="list-style-type: none"> <li>• Jobs and Skills</li> <li>• Employability</li> <li>• Enterprise Zone</li> </ul> <p>Properties and Facilities Management (non-parking)</p> <ul style="list-style-type: none"> <li>• HTS 'non-housing client'</li> <li>• Energy Management</li> </ul>	<p>Growth Board</p> <p>The Enterprise Zone</p> <p>Economic Development Strategy</p> <p>Regeneration Strategy</p> <p>Public Health England</p> <p>LSCC</p>

**Portfolio: Environment**  
**Portfolio Holder: Danny Purton**

Areas of Responsibility	Key Strategic Policies and Areas
<p>Forward Planning</p> <ul style="list-style-type: none"> <li>• Strategic Planning Issues</li> <li>• The Local Plan</li> </ul> <p>Development Management</p> <ul style="list-style-type: none"> <li>• Planning Applications</li> <li>• Planning Appeals</li> <li>• Planning Enforcement</li> </ul> <p>Building Control</p> <ul style="list-style-type: none"> <li>• Building Regulation</li> <li>• Covenant Control</li> </ul> <p>Structural Engineering</p> <ul style="list-style-type: none"> <li>• Engineering Advice</li> </ul> <p>Environment Client Team</p> <ul style="list-style-type: none"> <li>• Operational Delivery and Performance of HTS</li> <li>• Waste Collection and Recycling Services</li> <li>• Street Cleansing (HTS)</li> </ul> <p>Environmental Health</p> <ul style="list-style-type: none"> <li>• Environmental Protection</li> </ul> <p>Grounds Maintenance, Landscapes and Biodiversity</p> <ul style="list-style-type: none"> <li>• Landscaping and Grounds Maintenance (HTS)</li> </ul> <p>Properties and Facilities Management (Parking)</p> <ul style="list-style-type: none"> <li>• North Essex Parking Partnership (NEPP)</li> </ul>	<p>The Local Plan</p> <p>Infrastructure</p> <p>Garden Town</p> <p>HTS (joint with Housing Portfolio)</p> <p>Stort Valley</p> <p>Street Scene</p> <p>Development of Geographic Information System (GIS)</p>

**Portfolio: Governance, Equality and Diversity**  
**Portfolio Holder: Lanie Shears**

Areas of Responsibility	Key Strategic Policies and Areas
<p>Corporate and Governance Support</p> <ul style="list-style-type: none"> <li>• Democratic Services</li> <li>• Constitution</li> <li>• Support to the Civic Office and Senior Management</li> </ul> <p>Legal Services</p> <ul style="list-style-type: none"> <li>• Legal Advice and Representation</li> <li>• Provision of Duly Authorised Officer and Proper Officer Duties</li> <li>• Support to the Monitoring Officer</li> <li>• FOI and GDPR</li> <li>• Local Land Charges</li> </ul> <p>Human Resources</p> <ul style="list-style-type: none"> <li>• Employment Law Compliance</li> <li>• Staff Performance and Development</li> <li>• Payroll</li> <li>• Health and Safety</li> </ul> <p>Procurement and Relationship</p> <ul style="list-style-type: none"> <li>• Commissioning and Procurement Policy</li> <li>• Corporate Planning</li> </ul> <p>Licensing</p> <ul style="list-style-type: none"> <li>• Allocation of Licences</li> <li>• Licensing Enforcement</li> </ul>	<p>Transparency – Open Data, Freedom of Information (FOI) and General Data Protection Regulations (GDPR)</p> <p>Procurement Strategy</p> <p>Corporate Equalities</p> <p>Addressing the Gender Pay Gap</p> <p>Investigating Disabled Access to Properties and Services</p> <p>Reporting on Racial, Religious discrimination and trends with Hate Crime</p> <p>Ensuring equal access opportunities for the elderly</p> <p>Promoting community events targeted at combatting loneliness</p> <p>Living Wage</p>

**Portfolio: Housing**  
**Portfolio Holder: Mark Wilkinson**

Areas of Responsibility	Key Strategic Policies and Areas
<p>Housing Management</p> <ul style="list-style-type: none"> <li>Housing Estate and Tenancy Management</li> </ul> <p>Property Services</p> <ul style="list-style-type: none"> <li>Strategic Management of Housing Works, Repairs and Maintenance Programmes</li> <li>Housing Asset Management Strategy</li> <li>Housing Capital, Revenue and Planned Maintenance Management</li> <li>Housing and Non-Housing Asbestos Management</li> <li>Statutory Property Inspections</li> </ul> <p>Environmental Health</p> <ul style="list-style-type: none"> <li>Private Sector Housing Standards</li> </ul> <p>Housing Needs and Options</p> <ul style="list-style-type: none"> <li>Housing Allocations</li> <li>Housing Needs Register</li> <li>Choice Based Lettings Scheme</li> <li>Housing Needs and Homelessness Assessments</li> <li>Homelessness Prevention</li> <li>Housing Provision</li> </ul> <p>Supported Housing</p> <ul style="list-style-type: none"> <li>Sheltered Housing Schemes</li> <li>Careline</li> <li>Extra Care Housing Provision</li> <li>Supporting People Care Programmes</li> </ul> <p>Home Ownership</p> <ul style="list-style-type: none"> <li>Management of Housing Leases</li> <li>Right to Buy</li> <li>Statutory Service Charge Consultation</li> <li>Service Charges Collection</li> </ul> <p>Tenant and Leaseholder Participation</p> <ul style="list-style-type: none"> <li>Tenant and Leaseholder Engagement</li> </ul>	<p>Housing Revenue Account (joint with Resources Portfolio)</p> <p>Capital Programmes (joint with Resources Portfolio)</p> <p>District Heating Schemes</p> <p>Housing Investment Programme</p> <p>Housing Allocations Policy</p> <p>Homelessness Strategy and Action Plan</p> <p>Houses of Multiple Occupation (HMOs)</p> <p>HTS (joint with Environment Portfolio)</p> <p>Tenant and Leaseholder Engagement Strategy</p>

**Portfolio: Regeneration**  
**Portfolio Holder: John Strachan**

Areas of Responsibility	Key Strategic Policies and Areas
<p>Regeneration</p> <ul style="list-style-type: none"> <li>• Physical Regeneration of the Town</li> <li>• Town Centre</li> <li>• Strategic Housing</li> <li>• Princess Alexandra Hospital</li> </ul> <p>Properties and Facilities Management (non-parking)</p> <ul style="list-style-type: none"> <li>• Civic Centre</li> <li>• Latton Bush Centre</li> <li>• Unadopted Highways Management</li> <li>• Asset Management</li> <li>• Drainage</li> </ul>	<p>Non-Housing Asset Management Strategy</p> <p>Briars, Copshall Close and Aylets Field</p> <p>Neighbourhood Regeneration Schemes</p> <p>Town Centre Area Action Plan</p>

**Portfolio:** Resources  
**Portfolio Holder:** Mike Danvers

Areas of Responsibility	Key Strategic Policies and Areas
<p>Revenues and Benefits</p> <ul style="list-style-type: none"> <li>• Benefits Claims</li> <li>• Revenues Recovery</li> <li>• Revenues Registration and Billing</li> </ul> <p>Accountancy</p> <ul style="list-style-type: none"> <li>• Statement of Accounts</li> <li>• Annual Budget, Council Tax and Rent Levels</li> <li>• HRA, General Fund and Capital Programmes</li> <li>• Treasury Management</li> </ul> <p>Insurance</p> <ul style="list-style-type: none"> <li>• Asset and Liabilities Protection</li> <li>• Insurance Programmes</li> <li>• Risk Management</li> </ul> <p>Internal Audit</p> <ul style="list-style-type: none"> <li>• Annual Governance Statement</li> <li>• Management Advice</li> </ul> <p>ICT</p> <ul style="list-style-type: none"> <li>• Provision of Council's ICT Infrastructure</li> <li>• ICT Support</li> <li>• Development of the Council's Website and Internet Services</li> </ul>	<p>Local Council Tax Support Scheme</p> <p>Medium Term Financial Strategy</p> <p>General Fund</p> <p>The Housing Revenue Account (joint with Housing Portfolio)</p> <p>Capital Programmes (joint with Housing Portfolio)</p> <p>Treasury Management Strategy</p> <p>ICT Strategy</p>

# Portfolio Holders' Delegations 2019/20

The Leader of the Council has the power to amend this scheme at any time.

Any member of the Cabinet may refer any matter delegated to them to the Cabinet for a collective decision.

## All Portfolio Holders may:

- Take urgent decisions that cannot reasonably be deferred until the next meeting of the Cabinet on any matter within the powers delegated to Cabinet and their Portfolio, after written (including e-mail) consultation with the Leader (or Deputy if they are not available).
- Take any decision that may be necessary to implement a decision of the Cabinet.
- Agree the grant of licences for the use of land within their Portfolio.
- Agree minor or inconsequential amendments to any Policy, Plan or Strategy within their Portfolio.
- Take decisions relating to procurement and contractual matters as set out in the Financial Regulations and Procurement Policy and Standing Orders relating to contracts.
- Where appropriate, and working with the relevant officers, respond to national consultation specific to their Portfolio.
- Allocate specific grants relevant to their Portfolio.

## The Leader (or Deputy Leader in their absence) may:

- In the absence of any Portfolio Holder or at their request (in writing) or where a prejudicial interest has been declared take decisions on any matter delegated to that Portfolio Holder.
- Write off irrecoverable debts in line with Financial Regulations.
- Take decisions to sell/purchase/lease or otherwise deal with land where this would not constitute a Key Decision.

## The Portfolio Holder for Environment may:

- Name and number streets and buildings.

## The Portfolio Holder for Governance, Equality and Diversity may:

- Set the level of hackney carriage and private hire fees within agreed budgetary policy.
- Set the table of hackney carriage fares.

## The Portfolio Holder for Housing may:

- Dispose of void properties which would cost greater than £10,000 to refurbish, except where these fall in an agreed regeneration area.

- Approve write-offs of irrecoverable housing rent debts to a value in line with Financial Regulations.
- Approve the annual Report to Tenants.
- Approve Housing Service Standards.

**The Portfolio Holder for Resources may:**

- Approve write-offs of irrecoverable debts (including Council Tax, national non-domestic rates, mortgage arrears and sundry debtor debts) to a value in line with Financial Regulations.
- Agree grants applications within budget

**Note:**

Portfolio Holder decisions must be supported by a written report from the relevant senior Officer(s). It is the Portfolio Holder's responsibility to consult and to seek advice from the Managing Director, Monitoring Officer or Chief Finance Officer as appropriate before decisions are taken to ensure that they are intra vires. Portfolio Holders should also consult the relevant budget holding Head of Service before decisions are taken.

## Cabinet Appointments 2019/20

Cabinet Overview Working Group (10)	Local Development Plan Panel (7)
Tony Edwards (c)	Mike Danvers (c)
Jodi Dunne (vc)	Jodi Dunne (vc)
David Carter	Simon Carter
Simon Carter	Mike Garnett
Jean Clark	Michael Hardware
Bob Davis	Mark Ingall
Mike Garnett	Danny Purton
Shona Johnson	
Frances Mason	
Nancy Watson	
Maggie Hulcoop (sub)	
Shannon Jezzard (sub)	
Constitution Panel (3)	Shareholder Sub Committee (5)
Lanie Shears (c)	Mark Ingall (c)
Nick Churchill	Joel Charles
Stefan Mullard	Andrew Johnson
	Danny Purton
	Mark Wilkinson
HTS (Property and Environment) Board of Directors (3)	HTS Group Ltd (3)
Simon Carter	Simon Carter
Bob Davis	Bob Davis
Chris Vince	Chris Vince
Harlow Local Highways Panel (4)	Housing Standards Board (3)
Tony Durcan	Mark Wilkinson (c)
Tony Edwards	Simon Carter
Danny Purton	Bob Davis
John Strachan	
Enterprise Zone Board (1+1 Sub)	Essex Flood Partnership (1+1 Sub)
Tony Durcan	Danny Purton
	John Strachan (sub)
Harlow Health and Wellbeing Board (1)	London Stansted Cambridge Consortium (1+1 Officer)
Tony Edwards	Tony Durcan
North Essex Parking Partnership (1+1 Sub)	West Essex Wellbeing Joint Committee (2+1 Sub)
Danny Purton	Tony Edwards
Mike Danvers (sub)	Eugenie Harvey
	Mark Ingall (sub)

**Harlow Bus Users Group (1)**

Maggie Hulcoop (c)

**REPORT TO:** CABINET

**DATE:** 20 JUNE 2019

**TITLE:** CABINET OVERVIEW WORKING GROUP WORK PLAN 2019/20

**PORTFOLIO HOLDER:** COUNCILLOR LANIE SHEARS, PORTFOLIO HOLDER FOR GOVERNANCE, EQUALITY AND DIVERSITY

**LEAD OFFICER:** SIMON HILL, HEAD OF GOVERNANCE (01279) 446099

**This is not a Key Decision**

**It is not on the Forward Plan. The following exemption applies:**

It is a decision on a procedural, operational or managerial matter.

**The decision is not subject to Call-in Procedures for the following reason:**

It is a decision on a procedural, operational or managerial matter.

**This decision will affect no ward specifically.**

**RECOMMENDED that:**

- A** The proposed 2019/20 work plan for the Cabinet Overview Working Group, attached as Appendix A to the report, be agreed.

**BACKGROUND**

1. The Cabinet has previously established an Overview Working Group (OWG), cross-party Councillor body whose role is to review policy areas and make recommendations to the Cabinet for their improved effectiveness.
2. In 2018/19, the OWG completed the following reviews:
  - a) Non Housing Asset Management Strategy;
  - b) Community Engagement Strategy;
  - c) Local Council Tax Support Scheme;
  - d) Treasury Management Strategy; and
  - e) Houses of Multiple Occupation
3. The following reviews were still ongoing:
  - a) Regeneration Strategy – Interim Report; and

b) Housing Strategy – Scoping Report.

## **ISSUES/PROPOSALS**

4. It is proposed that the reviews detailed in paragraph 3 continue, with reports being considered as set out in Appendix A. The annual reviews of the Local Council Tax Support Scheme and Treasury Management Scheme are also considered at the dates set out in Appendix A.
5. Additional items can be added to the work plan by the Cabinet later in the year if it chooses. Any requests for additional work plan items made by the OWG will be forwarded to the Cabinet for its consideration.

## **IMPLICATIONS**

### **Place (Includes Sustainability)**

None specific.

**Author: Andrew Bramidge, Project Director – Enterprise Zone and Interim Head of Planning**

### **Finance (Includes ICT)**

None specific.

**Author: Simon Freeman, Head of Finance and Deputy to the Managing Director**

### **Housing**

None specific.

**Author: Andrew Murray, Head of Housing**

### **Community Wellbeing (Includes Equalities and Social Inclusion)**

None specific.

**Author: Jane Greer, Head of Community Wellbeing**

### **Governance (Includes HR)**

None specific.

**Author: Simon Hill, Head of Governance**

## **Appendices**

Appendix A – Draft Cabinet Overview Working Group Work Plan 2019/20

## **Background Papers**

None.

## **Glossary of terms/abbreviations used**

OWG – Overview Working Group

## Cabinet Overview Working Group Work Plan 2019/20

Work	Thursday 8 August 2019	Thursday 10 October 2019	Thursday 28 November 2019	Thursday 16 January 2020	Wednesday 12 March 2020
Regeneration Strategy		Interim Report			Final Report
Local Council Tax Support Scheme			Report		
Treasury Management Strategy			Strategy Review		
Housing Strategy		Interim Report			Final Report

**MINUTES OF THE CABINET OVERVIEW WORKING GROUP  
HELD ON**

14 March 2019

7.30 - 9.10 pm

**PRESENT**

**Overview Working Group Members**

Councillor Tony Durcan (Chair)  
Councillor Tony Edwards (Vice-Chair)  
Councillor David Carter  
Councillor Simon Carter  
Councillor Jean Clark  
Councillor Bob Davis  
Councillor Michael Garnett  
Councillor Maggie Hulcoop

**Officers**

Jane Greer, Head of Community Wellbeing  
Simon Hill, Head of Governance  
Christine Howard, Youth and Citizenship Manager  
Mark Philpott, Development Manager  
Michael Pitt, Environment and Licensing Manager  
Adam Rees, Governance Support Officer

26. **APOLOGIES FOR ABSENCE**

None.

27. **DECLARATIONS OF INTEREST**

None.

28. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 17 January 2019 be agreed as a correct record, subject to the removal of the duplicate entry of Councillor Simon Carter in the list of those present.

29. **MATTERS ARISING**

None.

30. **WORK PLAN**

**RESOLVED** that the Work Plan be noted.

31. **COMMUNITY ENGAGEMENT STRATEGY - FINAL REPORT**

The Working Group received a final report on the Community Engagement Strategy, which set out an updated Strategy for adoption by Cabinet.

**RESOLVED** that the Working Group recommends to Cabinet that:

**A** The draft Community Engagement Strategy (attached as Appendix A to the report) be approved.

32. **HOUSES OF MULTIPLE OCCUPATION - QUESTION AND ANSWER SESSION WITH THE LEADER AND PORTFOLIO HOLDERS**

The Chair outlined the format of the question and answer session which would be as follows:

- a) Twenty minutes each for the Leader, Deputy Leader and Portfolio Holder for Housing, and the Portfolio Holder for Environment to give their presentation and answer any questions.
- b) Twenty minutes for the Working Group to discuss Houses of Multiple Occupation (HMOs).
- c) Ten minutes to summarise and make a recommendation.

The Chair invited Councillor Mark Ingall, Leader of the Council, to the meeting. In response to questions by the Working Group, the Leader outlined the current arrangements surrounding HMOs. The 2004 Housing Act allowed councils to have an additional five year scheme for HMOs.

Some HMOs were well run, however where they were badly run this caused issues for tenants of the HMOs, as well as neighbouring residents. The number of HMOs was increasing and they were useful to the housing stock. It was important to use enforcement to ensure that existing HMOs were well run and that future HMOs were subject to planning controls.

The Leader said that Article 4 Directions prevented development under Permitted Development rights. They were not retrospective, but brought developments back within the Council's planning controls.

He hoped to see some form of landlord accreditation scheme and extra resources for enforcement so the Council could take a proactive role.

The Leader said that he felt a town wide Article 4 Direction would be beneficial, but enforcement also needed to be strengthened.

The Chair thanked the Leader for his contribution and welcomed Councillor Danny Purton, Portfolio Holder for Environment, to the meeting.

In response to questions, Councillor Purton said that HMOs were carried out under Permitted Development. There was a need to ensure that HMOs in existing developments met the same standards they would be expected to meet in new developments.

Covenant controls existed on all dwellings in Harlow, however the legal position was that there needed to be a legal reason to enforce them. The advice was that no such reason existed and therefore the conversion of housing to HMOs had been allowed.

Councillor Purton said that Article 4 Directions would mean that all HMOs would have to meet standard requirements in order to be granted planning permission. It was explained that any application for converting a property to a HMO would be subject to the Council's planning scheme of delegation.

Councillor Purton said he advocated a town wide Article 4 Direction.

The Chair thanked Councillor Purton and welcomed Councillor Mark Wilkinson, Deputy Leader and Portfolio Holder for Housing to the meeting.

Councillor Wilkinson said that he welcome any further controls on HMOs. They were critical in addressing housing need in Harlow and it was important they met certain standards.

Consistent enforcement of HMOs was needed and this should be carried out at an Officer level. There would be an additional resource requirement to enforce existing HMOs, and a further resource requirement if a town wide Article 4 Direction is implemented.

Councillor Wilkinson said he supported a town wide Article 4 Direction.

The Working Group agreed that Cabinet should be asked to look at the implementation of a town wide Article 4 Direction. The Working Group also agreed that sufficient resourcing needed to be made available to implement an Article 4 Direction and to support any planning and licensing enforcement surrounding HMOs.

**RESOLVED** that the Cabinet Overview Working Group recommended to Cabinet that:

**A** A report is brought to the Cabinet meeting in December, which sets out:

- i) The steps for implementing a town wide Article 4 Direction which prevents the conversion of properties to Houses of Multiple Occupation (HMOs) under Permitted Development rights, with a view to the Council seeking the Secretary of State's approval to implement the Direction.

ii) The resource implications for:

- Implementing a town wide Article 4 Direction.
- Enforcing HMO licensing under the current licensing scheme.
- Enforcing HMO licensing should a town wide Direction be implemented.
- Planning enforcement arising from the implementation of a town wide Direction.
- Considering any planning applications arising from a town wide Direction.

33. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE OVERVIEW  
WORKING GROUP

**MINUTES OF THE HARLOW LOCAL HIGHWAYS PANEL  
HELD ON**

26 March 2019

10.00 - 11.00 am

**PRESENT**

**Committee Members**

Councillor Eddie Johnson, Essex County Council (Chair)  
Councillor Clive Souter, Essex County Council  
Councillor Tony Edwards, Harlow District Council  
Councillor Danny Purton, Harlow District Council

**Officers**

Sonia Church, Highways Liaison Manager, Essex County Council  
Rissa Long, Highways Liaison Officer, Essex County Council  
Adam Rees, Governance Support Officer

85. **INTRODUCTIONS AND APOLOGIES**

The Chairman welcomed all attendees to the meeting and invited Councillors and Officers to introduce themselves. Apologies for absence were received from Councillors Mike Garnett and Michael Hardware.

86. **DECLARATIONS OF INTEREST**

None.

87. **MINUTES OF LAST MEETING AND MATTERS ARISING**

**AGREED** that the minutes of the meeting held on 21 January 2019 are agreed as a correct record.

Councillor Danny Purton said that allocation of the North Essex Parking Partnership's (NEPP) surplus had now been agreed. NEPP would be investing in long term solutions including ANPR. He also explained that the off-street element of NEPP had been dissolved. This meant Harlow Council was now responsible for off-street parking.

In response to a question by Councillor Tony Edwards, about major improvements to Momples Road junction with First Avenue, Rissa Long, Highways Liaison Officer, said it was still necessary to wait until Junction 7a for the M11 was constructed before improvements to Momples Road could take place.

88. **PUBLIC QUESTIONS**

None.

89. **APPROVED WORKS PROGRAMME**

Rissa Long provided updates on the following schemes:

**LHAR173002** – Hamstel Road – Parallel/Tiger Crossing – There was now funding for this scheme so it would be able to commence in the 2019/20 financial year.

**LHAR172004** – Pottersfield – Congestion Parking – This scheme would now be completed in one phase and would be completed before the end of the financial year.

**LHAR181001** – First Avenue jw Orchard Croft – Councillor Purton questioned the changes being made to the Scheme. Rissa Long explained that there were a number of objectors, including from the County Council.

90. **POTENTIAL SCHEME LIST**

The members agreed to the progression of the schemes outlined below:

Location	Description	Cost Code	Allocated Budget
Hamstel Road- Tiger / Parallel Crossing	Implementation of Tiger crossing in the vicinity of the hospital as designed and advertised in 2017-18	LHAR173002	£109,000
Waterhouse Moor – advisory 20 signage	Request to look at advisory signage for 20mph	LHAR182008	£6,000
First Avenue jw Orchard Croft - design for CR scheme	Implementation of CR design - Bus lane length reduction - New traffic island - Right turn lane	LHAR181001	£10,000
Muskham Road outside the Museum – Pram Crossing	1 single pram crossing to take pedestrians across to the Museum	LHAR163032	£5,000
Tawneys Road close to the shops - Zebra crossing design	Request for a zebra crossing	LHAR173005	£8,500
Old Harlow - cycle racks	Implementation of cycle facilities as designed in 2017-18	LHAR004001	£1,700

Fourth Avenue junction with North Gate -Roundabout works	Implementation of works as identified in the feasibility study undertaken in 2017-18 to look at redesigning the roundabout	LHAR162009	£66,500
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91. **HIGHWAYS RANGERS**

Rissa Long said she would resend the email about submitting requests to the Highways Rangers.

92. **SECTION 106 SCHEMES**

None.

93. **ANY OTHER BUSINESS**

Rissa Long said that the Panel would be sent a questionnaire on how reports to the Panel could be improved.

The Panel would also be sent information about Map Essex.

94. **DATE OF NEXT MEETING**

To be confirmed.

CHAIR OF THE PANEL