

Decision Notice (15 October 2020)

Published 16 October 2020

This document lists the decisions taken by Cabinet at a meeting held on Thursday, 15 October 2020. The list covers key and non-key decisions. 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.

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
<p>A10</p>	<p><u>Resolution in Principle to use Compulsory Purchase Powers to Advance the Development of the Harlow and Gilston Garden Town</u></p> <p>Key decision? Yes</p> <p>RESOLVED that:</p> <p>A Cabinet recommended to Full Council that, in principle, the Council agrees to use powers available to it under section 226(1)(a) of the Town and Country Planning Act 1990 to compulsorily purchase land within the District to support development where in conformity with the Harlow Local Development Plan (subject to its adoption) in order</p>	<p>To enable the Council to take necessary actions in respect to its land and assembly of third party land where deemed necessary and appropriate in order to implement the Harlow Local Development Plan (subject to its adoption) and support the wider Harlow and Gilston Garden Town growth, through implementation of proposals in adopted Plans of its neighbouring authorities of East Herts and Epping Forest District Councils and infrastructure works proposed to be undertaken by Essex County Council.</p>	<p>None</p>	<p>None</p>	<p>No</p>

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
	<p>to achieve the planning benefits set out within the Plan. Noting that this in no way predetermines or circumvents the formal planning process.</p> <p>B Cabinet recommended to Full Council that, in principle, where Harlow District Council is landowner, or through the process of acquisition (including under CPO) would become landowner, the Council agrees to retain ownership but grant licence for infrastructure works on that land provided that:</p> <ul style="list-style-type: none"> i) The infrastructure is intended for a public purpose, benefit or public adoption; ii) there are no legal restrictions preventing this from happening; iii) it does not materially undermine another 				

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
	<p>purpose for which the Council requires the land or there are compelling reasons to dispose of a freehold interest; and</p> <p>iv) Where appropriate, the Council receives appropriate costs/compensation, indemnities and other arrangements considered necessary.</p> <p>C Subject to East Herts District Council resolving to follow the same course of action, Cabinet recommended to Council that, in principle, it also agrees to use the powers set out in recommendation A should that be necessary to compulsorily purchase land in the Burnt Mill and River Way areas of the District, to enable the construction of transport infrastructure to support development in the Harlow and</p>				

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
	<p>Gilston Garden Town including the delivery of The Gilston Area allocation and The River Stort Crossings in the East Herts District Plan and the achievement of the wider strategic planning benefits referred to in the report including supporting the future Harlow Local Development Plan.</p> <p>D Cabinet and Council note that officers will prepare for any possible Compulsory Purchase Order(s) (CPO) including any associated Indemnities on behalf of the Council in accordance with the agreements under Recommendations A and C; and, where considered necessary to make a CPO, the Head of Governance, in consultation with other Heads of Service of the Council as may be necessary, will bring each matter back to Cabinet seeking authority to do so.</p>				

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
	<p>E Cabinet delegate authority to the Head of Finance and Property and Deputy to the Chief Executive, in consultation with other Heads of Service as may be necessary, to negotiate and agree and legally complete lease or licence or other arrangements for the delivery of infrastructure works on its land on a case by case basis on behalf of the Council in accordance with the agreement under Recommendation B.</p>				
<p>A11</p>	<p><u>'Planning for the Future': Harlow Council Response to the Government Consultation</u></p> <p>Key decision? No</p> <p>RESOLVED that Cabinet:</p> <p>A Agreed the responses to the consultation on the Planning for the Future White Paper as set out in Appendix A.</p>	<p>To enable the Council to respond to the consultation and to have input into planning reforms.</p>	<p>None</p>	<p>None</p>	<p>Yes</p>

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
	<p>B Granted delegated authority to the Head of Environment and Planning, in consultation with the Portfolio Holder for Environment, to make any amendments that may be required, following the Cabinet discussion, to the formal response and that this be forwarded to MHCLG.</p>				
<p>A12</p>	<p><u>Harlow and Gilston Garden Town Sustainability Checklist</u></p> <p>Key decision? No</p> <p>RESOLVED that:</p> <p>A The draft Harlow and Gilston Garden (HGGT) Town Sustainability Guidance and Checklist (attached as Appendix A to the report) be agreed for a six-week period of public consultation between October and December 2020.</p> <p>B It was noted that, following</p>	<p>The purpose of this report is to enable consideration of the draft Harlow and Gilston Garden Town (HGGT) Sustainability Guidance and Checklist (attached as Appendix A to the report) and that it be agreed to go forward for a period of consultation. Throughout this report the document is referred to as the 'Guidance and Checklist'.</p>	<p>None</p>	<p>None</p>	<p>Yes</p>

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
	<p>consultation and any subsequent revisions to the document, it is intended that the final HGGT Sustainability Guidance and Checklist will be endorsed as a material planning consideration for the preparation of masterplans, pre-application advice, assessing planning applications and any other development management purposes.</p>				
<p>A13</p>	<p><u>Referral from Licensing Committee - Review of Hackney Carriage Tariffs</u></p> <p>Key decision? No</p> <p>RESOLVED that:</p> <p>A The Hackney Carriage tariff schedule, attached as Appendix A to the original report, be adopted.</p>	<p>The Licensing Committee considered a report on the Review of Hackney Carriage Tariffs at its meeting on 8 September 2020 and referred the matter to Cabinet for approval.</p>	<p>None</p>	<p>None</p>	<p>Yes</p>

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
A1		FIELD_DECISION_REASON	None	FIELD_DECL_INT ERESTENone	FIELD_FOR_C ALLIN
A2		FIELD_DECISION_REASON	None	FIELD_DECL_IN TERESTENone	FIELD_FOR_C ALLIN