

**MINUTES OF THE CABINET
HELD ON**

15 October 2020

7.30 - 8.50 pm

PRESENT

Committee Members

Councillor Mark Ingall, Leader of the Council

Councillor Eugenie Harvey, Deputy Leader and Portfolio Holder for Resilience and Recovery

Councillor Mike Danvers, Portfolio Holder for Resources

Councillor Tony Durcan, Portfolio Holder for Growth and Prosperity

Councillor Danny Purton, Portfolio Holder for Environment

Councillor Chris Vince, Portfolio Holder for Community and Wellbeing

Other Councillors

Councillor David Carter

Councillor Simon Carter

Councillor Tony Edwards

Councillor Michael Hardware

Councillor Andrew Johnson

Councillor Russell Perrin

Officers

Brian Keane, Chief Executive

Andrew Bramidge, Head of Environment and Planning

Emma Crouch, Corporate Support Officer

Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive

Jane Greer, Head of Community Wellbeing

Simon Hill, Head of Governance

Adam Rees, Governance Support Officer

38. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Frances Mason and Mark Wilkinson.

39. **DECLARATIONS OF INTEREST**

Councillor Michael Hardware declared a non-pecuniary interest in items 10 and 12 as an Essex County Council appointee to the Harlow and Gilston Garden Town Board.

40. **MINUTES**

RESOLVED that the minutes of the meeting held on 10 September 2020 are agreed as a correct record and signed by the Leader.

41. **MATTERS ARISING**

None.

42. **WRITTEN QUESTIONS FROM THE PUBLIC**

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

43. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

44. **PETITIONS**

None.

45. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

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

Councillor Ingall said that following discussions with the County Council and other leaders in Essex, a request had been made to the Secretary of State for Health and Social Care to raise Essex into the 'High' tier for Covid-19 restrictions, and that this request had been approved.

47. **RESOLUTION IN PRINCIPLE TO USE COMPULSORY PURCHASE POWERS TO ADVANCE THE DEVELOPMENT OF THE HARLOW AND GILSTON GARDEN TOWN**

Cabinet received a report which sought a recommendation to Full Council to agree a resolution in principle to use Compulsory Purchase Orders (CPOs) in order to support development in conformity with the Local Plan.

Proposed by Councillor Danny Purton (seconded by Councillor Mike Danvers) it was:

RESOLVED that:

- 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 to achieve the planning benefits set out within the Plan. Noting that this in

no way predetermines or circumvents the formal planning process.

- 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:
- 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 purpose for which the Council requires the land or there are compelling reasons to dispose of a freehold interest; and
 - iv) Where appropriate, the Council receives appropriate costs/compensation, indemnities and other arrangements considered necessary.
- 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 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.
- 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.
- 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.

48. **'PLANNING FOR THE FUTURE': HARLOW COUNCIL RESPONSE TO THE GOVERNMENT CONSULTATION**

Cabinet considered a report which set out the proposed response to the Government's consultation on reforms to the planning system.

Proposed by Councillor Danny Purton (seconded by Councillor Tony Durcan) it was:

RESOLVED that Cabinet:

- A** Agreed the responses to the consultation on the Planning for the Future White Paper as set out in Appendix A to the report.
- 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.

49. **HARLOW AND GILSTON GARDEN TOWN SUSTAINABILITY CHECKLIST**

Cabinet received a report which recommended that the Harlow and Gilston Garden Town sustainability checklist was approved for the purposes of consultation.

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

RESOLVED that:

- 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.
- B** It was noted that, following 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.

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

- a) Referral from Licensing Committee - Review of Hackney Carriage Tariffs

Cabinet received a referral from the Licensing Committee on a review of Hackney Carriage Tariffs.

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

RESOLVED that:

- A** The Hackney Carriage tariff schedule, attached as Appendix A to the original report, be adopted.

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

RESOLVED that the minutes of the following meetings are noted.

- a) Minutes of meeting held on Wednesday, 23 September 2020 of Covid-19 Recovery Working Group

52. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

Cabinet – 15 October 2020

Questions from the Public

1 Nicholas Taylor to Councillor Mark Ingall, Leader of the Council

In the 1950's and 1960, many companies relocated to Harlow and part of the incentive to relocate here was that the Harlow Development Corporation would provide rented homes to the company's workforce. In the next five years or so many hundreds if not thousands of people will be expected to re-locate to live in the Harlow area when Public Health England occupy their new premises at The Pinnacles.

Has the Council been approached by Public Health England or indeed given any thought as to how those workers who are secure council tenants will be expected to uproot their families to come to live in Harlow?

Reply from Councillor Mark Ingall (Leader of the Council):

The Council has worked with Public Health England of a number of years regarding the relocation to Harlow.

One of the advantages of the exciting move of Public Health England to Harlow is that many of the jobs will become available for existing Harlow residents, however we are encouraging and expect some employees to make the move to Harlow. Our ambitious Local Plan allows for the building of accommodation that ranges from flats to executive houses and everything in between, which will provide sufficient stock for any employees of Public Health England that do choose to make the move.

The housing requirements of affected staff has been raised with Public Health England, however at the current time they are unable to give an indication of what those requirements might be.

This matter will remain an item for discussion as the requirements of PHE and their staff becomes clear.

2 Nicholas Taylor to Councillor Mark Ingall, Leader of the Council

It is now some two and a half years since residents were invited to see plans for the future of Elm Hatch. Since then, residents have apparently not heard anything.

I note the recent announcement that the council is going to spend some £12 million on purchasing homes on the open market, will this affect the plans for the future of Elm Hatch, indeed when can residents expect work to commence on site?

Reply from Councillor Mark Ingall (Leader of the Council):

The Council is committed to remain in active discussions with those who have an interest in the redevelopment of Elm Hatch. This includes local residents, Place Services of Essex County Council and, due to the development being adjacent to one of Harlow's historic gems, English Heritage.

During these unusual times the discussions and processes that would normally take place have been disrupted and are taking longer than we would have hoped , however we are looking at a number of different designs in order to ensure the requirements of both Places Services and English Heritage are met.

We will contact residents as soon as we have more information to share with them. At this stage it is not possible to say when residents can expect work to commence on site.

The Council purchasing homes on the open market will not affect any proposals for Elm Hatch.