

Decision Notice (25 March 2021)

Published 26 March 2021

This document lists the decisions taken by Cabinet at a meeting held on Thursday, 25 March 2021. 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>Implementation of an Article 4 Direction relating to Houses of Multiple Occupation</u></p> <p>Key decision? Yes</p> <p>RESOLVED that:</p> <p>A Under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Harlow Council implements the Direction made on 26 March 2020 under Article 4 (1), to which Schedule 3 applies, concerning small Houses in Multiple Occupation (HMOs) and relating to all land within the administrative area of</p>	<p>The period from 2015 to 2020 saw a significant increase in the number of Houses in Multiple Occupation (HMO) in Harlow. At the end of 2019 there were 319 licensed HMOs in Harlow compared to approximately 140 in 2015. Given that virtually all HMOs were originally constructed as single family dwellings, it can be extrapolated that there has been a consequent reduction in this type of accommodation across the town.</p> <p>In February 2020, Cabinet considered a report on the growth of HMOs within the town and made the following</p>	<p>None</p>	<p>None</p>	<p>Yes</p>

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	<p>Harlow Council.</p> <p>B This Article 4 Direction shall come into effect on Monday 12 April 2021.</p> <p>C A review of the Council's HMO policy in its newly adopted Local Plan is undertaken in 2022, with a completion of no later than 30 November 2022.</p>	<p>decisions:</p> <p>i) Covenants restricting the use of properties to single family dwellings be enforced, where applicable, with any variation to this being agreed by the Head of Environment and Planning, in consultation with Portfolio Holder for the Environment.</p> <p>ii) Cabinet approved the making of a non-immediate Direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 across the whole District to remove</p>			

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		<p>permitted development rights from properties for conversion to Houses in Multiple Occupation.</p> <p>iii) Cabinet agreed that the final decision on the implementation of the Article 4 Direction will be taken by Cabinet following the completion of the 12 month notification period.</p> <p>This report now recommends the implementation of the Article 4 Direction following the completion of the 12 month notification period as set out in Decision iii) above.</p>			

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A11	<p><u>Joint Finance and Performance Report, Quarter 3 2020/21</u></p> <p>Key decision? No</p> <p>RESOLVED that Cabinet:</p> <p>A Noted the projected outturn position set out in sections three and four of Appendix A to this report for the third quarter (ending 31 December 2020) of 2020/21 as follow:</p> <ul style="list-style-type: none"> i) An adverse variation on controllable budgets of £856,000 representing 1.49 per cent of the gross General Fund Budget. ii) A total projected underspend of £79,000 representing -0.14 per cent of the gross General Fund Budget. iii) The Council performed 	<p>To ensure that Cabinet reviews performance against the Council's approved General Fund Budget and Corporate Plan for 2020/21 and acknowledges the small variation to the forecast outturn position.</p>	None	None	No

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	<p>on or above target for 40 out of 46 (87 per cent) of its monthly and quarterly Key Performance Indicators (KPIs). The number of KPIs has reduced from 49 to 46 following the decision by Housing Services to report 3 of its KPIs within its HRA Q3 report. Housing Services have also advised that there is no data for its remaining KPI until Q4.</p> <p>iv) The Council also successfully completed 24 (16 per cent) of its revised service milestones.</p>				
A12	<p><u>Housing Revenue Account, Quarter 3 Finance Report 2020/21</u></p> <p>Key decision? No</p>	<p>A The report compares the revised budget with actual income and expenditure as at 31 December 2020 and following consultation with</p>	None	None	No

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	<p>RESOLVED that Cabinet noted:</p> <p>A The Quarter 3 - HRA Budget Monitoring report as set out in the following paragraphs and in Appendix 1 and 2.</p> <p>B That the forecast HRA general working balance as at 31 March 2021 will be £13.293 million and that the Major Repairs Reserve will only be partially used to finance the 2020/21 capital programme, leaving an estimated balance of £941,000.</p> <p>C The balance of £7.8 million of retained Right to Buy (RTB) receipts held as at 31 December 2020 in order to finance the new build capital programme and house purchase scheme.</p>	<p>budget managers forecasts the projected outturn at year end. This comparison identifies operational variations and this report provides explanations for the variances.</p> <p>B The report also provides details of the retained RTB capital receipts available as at 31 December 2020. This information will be used in conjunction with the new build capital monitoring report in order to identify any risks of having to repay retained RTB receipts back to the Ministry of Housing, Communities and Local Government (MHCLG) plus interest compounded quarterly.</p>			

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A13	<p><u>Capital Programmes, Quarter 3 Finance Report 2020/21</u></p> <p>Key decision? No</p> <p>RESOLVED that Cabinet:</p> <p>A Noted that the Housing Capital Programme (HCP) projected outturn for 2020/21 is £22.618 million as set out in Appendix 1 to the report.</p> <p>B Approved the £11.354 million re-profiling of the 2020/21 HCP into 2021/22.</p> <p>C Noted that the Non-Housing Capital Programme (NHCP) projected outturn for 2020/21 is £15.201 million as set out in Appendix 2 to the report.</p> <p>D Approved the £1.524 million re-profiling of the 2020/21 NHCP into 2021/22.</p> <p>E Approved the inclusion in the</p>	<p>To enable Cabinet to review the actual performance against the approved revised budget and amend the capital programme in the light of the latest operational developments, profiling and funding changes.</p>	None	None	No

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	<p>NHCP budget an additional provision of £670,000 to facilitate the loan to HTS Ltd to purchase 43 new vehicles, The loan was approved by Cabinet on 5 December 2019 (Minute reference 92(a)A).</p>				
<p>A14</p>	<p><u>Development Scheme - 4 The Hill</u></p> <p>Key decision? Yes</p> <p>RESOLVED that Cabinet:</p> <p>A Approved the request for delegated authority to the Chief Executive and Leader of the Council, to appoint (subject to formal contract) a contractor for new build and demolition works at 4 The Hill, Old Harlow.</p> <p>B Approved a total budget of up to a maximum of £640,000, to include a 5 percent contingency plus a 2.5 percent Covid security contingency.</p>	<p>A Proceeding on this basis will enable the Council to deliver its commitment to delivering new homes for residents of Harlow who are on the Housing Needs Register.</p> <p>B To enable the proposal to proceed in a timely manner as there are no cabinet meetings taking place in April and May 2021, due to elections.</p>	<p>None</p>	<p>None</p>	<p>Yes</p>

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<p>A15</p>	<p><u>Policy and Procedure for Disposal of Land Within Housing Estates</u></p> <p>Key decision? Yes</p> <p>RESOLVED that Cabinet adopted the updated policy for the disposal of land within the Housing Estates as set out in Appendix 1 to the report.</p>	<p>A To update the existing policy and procedure for processing applications from members of the public to acquire small landscape areas within the Housing Estates (“Land Applications”) to align with current legislation, the Council’s constitution and local development plan policies.</p> <p>B To introduce a replacement policy which sets out procedures for processing Land Applications and a clear criteria under which applications will be determined.</p> <p>C To ensure that a framework is in place to enable each Land Application to be assessed on its merits ensuring as far as possible that:</p>	<p>None</p>	<p>None</p>	<p>Yes</p>

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		<p>i) where appropriate land is retained by the Council; and</p> <p>ii) where land is disposed of, the Council is acting in accordance with relevant statutory provisions and legislation.</p> <p>D To introduce a revised fee structure for Land Applications to reflect current service costs.</p>			
A16	<p><u>Award of Framework Agreement for Legal Services in Support of Special Projects</u></p> <p>Key decision? Yes</p> <p>RESOLVED that:</p> <p>A A Framework Agreement be entered into with Legal</p>	<p>A To secure continued support to the Council and its framework partners and provide access to timely and accurate specialist legal advice for major projects or those projects or requirements that are high profile, high risk or of strategic importance.</p>	None	None	Yes

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	<p>Advisors 1-5.</p> <p>B Officers provide processes to support ease of access to the framework and implement processes to report on use and value.</p>	<p>B To drive efficiencies and encourage best practice across the five local authority framework users.</p>			
<p>A17</p>	<p><u>Referral from Scrutiny Committee - Delivery of Council House Building Programme</u></p> <p>Key decision? Yes</p> <p>RESOLVED that Cabinet adopted the recommendations set out in the consultant's report (attached as Appendix A to the original report), along with an additional recommendation to carry out a review of the Council's approach to learning and guidance alongside the appraisal process.</p>	<p>To enable the Council to more effectively implement its Council House building programme.</p>	<p>None</p>	<p>None</p>	<p>Yes</p>

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A17	<p><u>Referral from Scrutiny Committee - Policing and Community Safety Annual Review</u></p> <p>Key decision? No</p> <p>RESOLVED that Cabinet noted the review and that the Scrutiny Committee intends to carry out a review of domestic violence during the 2021/22 municipal year.</p>	<p>The Scrutiny Committee made a decision at its meeting on 16 March 2021 and has referred the matter to Cabinet for noting.</p>	None	None	No