

**MEETING OF HARLOW COUNCIL
7.30 pm on Thursday 15 July 2021
In the Council Chamber, Civic Centre**

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 - 7)

To agree the minutes of the meeting held on 20 May 2021.

4. Communications from the Chair

5. Petitions from the Public

6. Questions from the Public

7. Questions from Councillors

8. Motions from Councillors

a) Protection of Green Spaces

Proposed by Chris Vince (seconded by Councillor Mike Danvers):

This Council notes:

- i) Harlow's green spaces are incredibly important to people in our town and in particular Harlow's playing fields owned by Harlow Council are utilised by families of all ages.
- ii) During the pandemic the importance of Harlow's playing fields has increased with families who do not have their own gardens finding them the only source of entertainment for their children.
- iii) The previous Labour administration worked hard to ensure that Harlow's playing fields were protected and ensured that they were not earmarked for development on the local plan.
- iv) The decision taken at the development management committee on the 8th of June to allow building on the Purford green site sets a dangerous precedent for future

development.

- v) Furthermore it was decided that compensation for this development would not be spent in the local vicinity but on the other side of Harlow.

This Council resolves that:

- i) It implements as strong a protection as possible for Harlow playing fields within the emerging Open Space Strategy.
- ii) Compensation for developments will be spent locally for the benefit of Harlow residents.
- iii) The Local Plan should be respected by all councillors and officers.

9. Main Debate

In accordance with Council Procedure Rule 17.3, the Chair will call on the Leader of the Council to introduce the debate on the work undertaken by the Council on 2020/21 municipal year together with any highlights, pressures and potential issues for the coming year.

10. References from Cabinet and Committees

- a) Referral from Audit and Standards Committee - Audit and Standards Committee Annual Report 2020/21 (Pages 8 - 15)

The Audit and Standards Committee recommended to Full Council that the Annual Report for the Audit and Standards Committee for 2020/21 be agreed.

- b) Referral from Scrutiny Committee - Annual Report of the Scrutiny Committee 2020/21 (to follow)
- c) Referral from Scrutiny Committee - Call In Sub Committee Procedures (to follow)

11. Reports from Officers

12. Minutes of Cabinet and Committee Meetings

To note the following Cabinet and Committee minutes:

- a) Minutes of meeting Thursday, 25 March 2021 of Cabinet (Pages 16 - 21)

- b) Minutes of meeting Wednesday, 14 April 2021 of Development Management Committee (Pages 22 - 26)
- c) Minutes of meeting Tuesday, 8 June 2021 of Development Management Committee (Pages 27 - 29)
- d) Minutes of meeting Wednesday, 16 June 2021 of Audit & Standards Committee (Pages 30 - 32)
- e) Minutes of meeting Thursday, 17 June 2021 of Cabinet (Pages 33 - 36)

13. 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 COUNCIL
HELD ON**

20 May 2021

7.30 - 8.15 pm

PRESENT

COUNCILLORS

Maggie Hulcoop (Chair)
Bob Davis (Vice-Chair)

| | |
|------------------|------------------|
| David Carter | Shona Johnson |
| Simon Carter | James Leppard |
| Joel Charles | Sue Livings |
| Nick Churchill | Ash Malik |
| Jean Clark | Colleen Morrison |
| Mike Danvers | Russell Perrin |
| Jodi Dunne | Nicky Purse |
| Tony Durcan | Clive Souter |
| Tony Edwards | Matthew Saggars |
| Michael Garnett | Dan Swords |
| Alastair Gunn | Chris Vince |
| Michael Hardware | Nancy Watson |
| Andrew Johnson | Mark Wilkinson |
| Eddie Johnson | Gareth Williams |

OFFICERS

Brian Keane, Chief Executive
Simon Hill, Head of
Governance
Adam Rees, Governance
Support Officer
Lisa Thornett, Corporate
Governance Support Officer

1. **MINUTES SILENCE AND TRIBUTES TO DANNY PURTON**

A minutes' silence was held following the passing of Danny Purton. Tributes to Danny were heard from Councillors Mike Danvers and Bob Davis.

2. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Eugenie Harvey and John Strachan.

3. **DECLARATIONS OF INTEREST**

None.

4. **MINUTES**

RESOLVED that the minutes of the meeting held on 1 April 2021 are agreed as a correct record and signed by the Chair.

5. **COMMUNICATIONS FROM THE CHAIR**

The Chair outlined the events she had attended throughout the year. She had raised a total of £8,000 for her two chosen charities Petals and Mind. They had both been given cheques of £4,000.

6. **PRESENTATION OF CIVIC AWARDS**

The Chair presented the following people Civic Awards in recognition of their commitment and contribution to the local community.

David Tetley Taylor
Volunteers at Harlow Ethnic Minority Umbrella (HEMU)
Nishall Garala
Susan McKenzie
The staff at Princess Alexandra Hospital
Crosskeys Netball Club
Harlow Ballet
Makin' Steps
Sarah-Jane Marshall

7. **ELECTION OF THE CHAIR OF THE COUNCIL AND DECLARATION OF ACCEPTANCE OF OFFICE**

Councillor Michael Hardware proposed and Councillor Gareth Williams seconded the nomination of Councillor Clive Souter as Chair of the Council.

RESOLVED that Councillor Clive Souter is elected as Chair of the Council for 2021/22 and is invested with the chain and badge of office.

Councillor Souter signed the Declaration of Acceptance of Office and gave an acceptance speech.

He thanked his colleagues for his appointment and also thanked Councillor Maggie Hulcoop for her service to the town during her term of office.

Councillor Souter announced that his chosen charities were dementia care at Princess Alexandra Hospital Trust and Harlow Stroke Support Rehab Centre.

From this point Councillor Souter chaired the meeting.

8. **APPOINTMENT OF THE VICE CHAIR OF THE COUNCIL AND DECLARATION OF ACCEPTANCE OF OFFICE**

Councillor Chris Vince proposed and Councillor Tony Edwards seconded the nomination of Councillor Maggie Hulcoop as Vice Chair of the Council.

RESOLVED that Councillor Maggie Hulcoop is appointed as Vice Chair of the Council for 2021/22 and is invested with the chain and badge of office.

Councillor Hulcoop signed the Declaration of Acceptance of Office.

9. **ELECTION OF LEADER OF THE COUNCIL**

Councillor Joel Charles proposed and Councillor Russell Perrin seconded the nomination of Councillor Andrew Johnson as Leader of the Council.

RESOLVED that Councillor Andrew Johnson is elected as Leader of the Council.

10. **APPOINTMENT TO THE CABINET**

Councillor Andrew Johnson announced his Cabinet as follows:

Councillor Joel Charles – Deputy Leader and Portfolio Holder for Community Resilience

Councillor Simon Carter – Portfolio Holder for Housing

Councillor Michael Hardware – Portfolio Holder for Strategic Growth

Councillor Alastair Gunn – Portfolio Holder for Environment

Councillor Russell Perrin – Portfolio Holder for Finance and Governance

Councillor Dan Swords – Portfolio Holder for Regeneration

11. **APPOINTMENT TO COMMITTEES, SUB COMMITTEES AND PANELS OF THE COUNCIL AND THEIR CHAIRS AND VICE CHAIRS**

Full Council received a report which set out the revised political balance calculations, nominations to committees, and changes to the Constitution which would enable a member of the Opposition to Chair the Scrutiny Committee.

Proposed by Andrew Johnson (seconded by Councillor Chris Vince) it was:

RESOLVED that:

A The Committee structure for 2021/21 is established as set out in Tables 1 and 2 of the report, including the revised number of seats for the committees.

B The Council noted the political balance calculations for 2021/22 and agrees that Committee seats are allocated to political groups as set out in Tables 1 and 2 of the report.

C Delegated authority is granted to the Head of Governance to make amendments to the Constitution to enable a member of the Opposition to Chair the Scrutiny Committee, and for the

membership of the Call In Sub Committee to be the same as the Scrutiny Committee.

D Councillors are appointed as members/substitute members of Council Committees, Sub Committees and Panels as set out in Appendix A to the report.

E Chairs and Vice Chairs of Committees, Sub Committees and Panels are appointed as set out in Appendix A to the report.

12. **APPOINTMENT OF MEMBER CHAMPIONS**

RESOLVED that Councillors are appointed as Member Champions as set out in the agenda.

13. **APPOINTMENT OF COUNCIL REPRESENTATIVES ON OUTSIDE BODIES**

RESOLVED that Councillors are nominated for appointment to the outside bodies as set out in the supplementary agenda.

14. **CALENDAR OF MEETINGS 2021/22**

RESOLVED that the calendar of meetings for 2021/22, as set out in the supplementary agenda, be approved.

15. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COUNCIL

REPORT TO: **AUDIT AND STANDARDS COMMITTEE**

DATE: **16 JUNE 2021**

TITLE: **AUDIT AND STANDARDS COMMITTEE ANNUAL REPORT**

LEAD OFFICER: **SARAH MARSH, INTERNAL AUDIT MANAGER
(01279) 446884**

RECOMMENDED that:

The Annual Report for the Audit and Standards Committee for 2020/21 be agreed and for the report be referred to the Council for approval.

BACKGROUND

1. The effective operation of the Audit and Standards Committee forms a key element of the Council's assurance framework. By fulfilling its responsibilities as detailed in this annual report the Committee supports the Council to maintain a high standard of corporate governance.
2. The Annual Report of the Audit and Standards Committee outlines its work and achievements during the year ending 31 March 2021. The Annual Report helps to demonstrate to residents and the Council's other stakeholders the vital role that the Committee fulfils and the contribution that it makes to the Council's overall governance arrangements.
3. It should be noted that Covid-19 did not disrupt the workings or business of the Audit and Standards Committee, despite it having to meet virtually throughout 2020/21.
4. The Audit and Standards Committee role is two-fold:
 - a) Audit - To oversee the Council's internal audit and risk functions; receive and approve external audit reports; scrutinises the Annual Statement of Accounts; make reports and recommendations to the Cabinet, Committees and the Council as a whole on the adequacy of its corporate governance and risk management arrangements and the associated control environment.
 - b) Standards - To deal with a range of matters including issues concerning Councillors' conduct, provide advice and guidance to the Council, the Cabinet and individual Councillors and advise on the application and review of the Constitution.

5. Whilst there is no statutory obligation for a local authority to establish an Audit Committee, they are widely recognised internationally across the public and private sectors as a key component of effective governance. Similarly, it is considered good practice for the Committee to report annually to the Council on its work.
6. The key benefits of an effective Audit Committee are to:
 - a) Increase awareness regarding the effectiveness and continued development of the Council's governance arrangements;
 - b) Provide additional assurance on the robustness of the Council's governance arrangements through a process of independent and objective review;
 - c) Reduce the risks of illegal or improper acts;
 - d) Increase public confidence in the objectivity and fairness of financial and other reporting;
 - e) Contribute to performance improvements in assurance levels and awareness of the need for strong internal control including the implementation of audit recommendations; and
 - f) Reinforce the importance and independence of internal and external audit and similar review processes.

Assurance Activity 2020/21

7. To help the Committee draw conclusions about the effectiveness of the Council's internal control framework, governance and risk management it gained assurances from the following sources:

Internal Audit

8. The Accounts and Audit (England) Regulations 2015 require the Council to maintain an adequate and effective Internal Audit function which is discharged by the Deputy to the Chief Executive and Head of Finance and Property Services as Section 151 Officer. Internal Audit is a key source of independent assurance for both Members and management on the effectiveness of the control framework. The Committee has a responsibility for ensuring that Internal Audit is effective in the provision of this assurance.
9. The Committee considered and agreed reports regarding the Internal Audit Strategy, Internal Audit Charter and Annual Plan 2020/21, with the annual plan being revised in June 2020 to take into account a change in the Council's risk profile due to Covid-19. It has also monitored progress made by management in implementing audit recommendations and received regular progress reports on

the work and performance of Internal Audit. These reports have helped in ensuring that reported weaknesses have either been addressed or the identified risks adequately mitigated by management and that there is an effective system of governance, risk management and internal control in place.

Assurance Framework / Annual Governance Statement

10. The Committee's terms of reference include advising on the effectiveness of the Council's internal controls and assurance framework including the production of the Annual Governance Statement.
11. During the year, the Committee has received reports on the control framework and how the annual review and assurance process is undertaken. Members are provided with progress made on the issues raised in respect of the Annual Governance Statement and of the annual service assurance process. The Assurance Framework is compiled from various sources of assurance, for instance Heads of Service and other key officers.
12. The Internal Audit Manager provides an annual report and opinion regarding the Council's control, governance and risk management framework. This opinion is considered by the Committee alongside other sources of assurance.
13. The Committee reviewed the Annual Governance Statement (AGS) for 2019/20 which identified governance issues requiring further ongoing improvement or monitoring relating to:
 - a) Risk management and lessons learnt from Covid-19
 - b) Financial resilience
 - c) New ways of working in light of Covid-19
 - d) Ensuring the health and safety of staff, partners and the public in the way that the Council delivers its services
14. The assurance framework remained unchanged during 2020/21. The Council's Code of Corporate Governance was reviewed by the Committee in August 2020 ensuring it remained compliant with the CIPFA/SOLACE framework – Delivering Good Governance in Local Government. Only minor changes were proposed (and agreed) to reflect the impact of Covid-19 on the Council's Code.
15. The Committee was able to be satisfied that there is a robust assurance framework in place to safeguard the Council's resources through reliance on the annual review of the Council's system of internal control and the Internal Audit Manager's annual opinion.

Anti-Fraud and Corruption

16. Countering fraud and corruption is the responsibility of every Member and officer of the Council. The Committee's role in this area has been to monitor and support the actions taken by officers to counter fraud including the work of the Corporate Fraud Group.
17. The Committee receives reports and presentations on such work undertaken in the Council and proactive fraud work, for example participation in the National Fraud Initiative (NFI), the work of the Housing Fraud Officer and new for 2020/21 fraud and assurance work regarding Covid-19 business grants.
18. The Council continues to send out a strong message that fraud will not be tolerated and that where fraud is proven the strongest possible actions of redress will be taken.
19. Based on the work to date, coupled with no major incidences of fraud and corruption being highlighted by management or Internal Audit, the Committee concludes that there is a sound anti-fraud framework in place. The Council's Anti-Fraud and Corruption Strategy was reviewed and approved by the Committee in August 2020.

Risk Management

20. The Committee receives and discusses reports relating to risk management. Work continues to enhance monitoring and reporting mechanisms to ensure there is adequate scrutiny and challenge of risk across the Council and aligning this with the service planning process. Committee members are routinely presented with the corporate strategic risk register with a rolling review of individual risks contained within it.
21. At its March 2020 meeting the Committee approved the revised risk strategy and agreed the Council's risk appetite and the introduction of risk appetite thresholds to improve transparency.

Statement of Accounts and External Auditors

22. Since 2018 the Audit and Standards Committee has held delegated authority to approve the Annual Governance Statement and the Annual Statement of Accounts. In addition, the Chair of the Audit and Standards Committee, rather than the Leader of the Council, has the authority to sign both of these key documents off.
23. The Committee has been kept abreast during the year on outstanding issues regarding the 2018/19 Accounts, seeking explanations for the delay from both the External Auditors (BDO) and the Council's Section 151 Officer. At the November 2020 meeting the Committee approved the latest Statement of Accounts presented to them and delegated final sign off of the accounts to the

Deputy to the Chief Executive and Head of Finance and Property Services in consultation with the Chair of the Committee. The 2018/19 accounts are now reported elsewhere on the agenda for the Committee's approval and sign off by the Chair.

24. Also at the November meeting, the Committee agreed the External Auditor's audit plan for the 2019/20 accounts. The aim is for the 2019/20 accounts to be reported to the Committee in November 2021.
25. During the year the Committee received a number of reports from the External Auditors, BDO, who attend most meetings. These reports included the draft Audit Results Report 2018/19. When reviewing the reports the Committee considered audit risks highlighted by the External Auditors.

Committee Working Arrangements

26. The Committee has a rolling and flexible programme of work for its main areas of activity which is proactively reviewed and amended throughout the year to reflect changes in policies, priorities and risks. The Committee met four times in 2020/21. Due to the pandemic, these were held virtually, which members of the public had access to. The Committee considered items which are presented annually, such as audit results, the statement of accounts, the annual governance statement, and audit plans; as well as a number of other items including a review of the Audit and Standards Committee's terms of reference.
27. Prior to Covid-19 training sessions or briefings were held before most Committee meetings and these are now planned to recommence in 2021/22. The agreed work programme enables the Committee to provide an independent assurance to the Council as to the adequacy of the risk management framework and the associated control environment.
28. In August 2020 the Committee undertook its own effectiveness review and reviewed its Terms of Reference, the results of which concluded its Terms of Reference remained fit for purpose and the Council was able to demonstrate compliance with recommended best practice for an effective Audit Committee.
29. Members of the Committee have a wide range of both experience and professional knowledge. The Committee has the benefit of being well supported by Council Officers. This included the Deputy to the Chief Executive and Head of Finance and Property Services, who is also the Section 151 Officer, the Council's Monitoring Officer (Head of Governance), and the Internal Audit Manager as well as the Council's External Auditors.
30. The Committee has previously agreed to the appointment of an independent member to the Committee. A recruitment process was initiated in January 2020 and interviews set up for the three applications received which were postponed due to Covid-19. The interviews finally took place via Zoom at the beginning of

October 2020 involving: Cllr Mullard, Cllr Clark and Cllr Carter supported by the Deputy to the Chief Executive and Head of Finance and Property Services and the Internal Audit Manager. An appointment was not made on this occasion as the shortlisted candidates failed to meet sufficiently the criteria set out within the person specification. The recruitment process was restarted in May 2021 which it is hoped will lead to the appointment of an independent member of the committee later in 2021.

31. No major breakdowns in internal control, governance and risk management that may have led to a significant loss in one form or another have been recorded or reported. Nor has any major weakness in the governance systems that has exposed, or continues to expose, the Council to an unacceptable level of risk. This includes the period to the end of March 2021 during which the government has introduced several full scale lock down of the country due to Covid-19.
32. The purpose, strategy and work programme of the Committee helps mitigate against any major failure by the Council to obtain independent assurance in relation to the governance processes underpinning:
 - a) An effective risk management framework and internal control environment including audit;
 - b) The effectiveness of financial and non financial performance (to the extent that it affects exposure to risk and poor internal control); and
 - c) The compilation and consideration of the Annual Governance Statement.

CONCLUSION

33. Through its work, the Committee has provided additional assurance in relation to the robustness of the Council's arrangements regarding corporate governance, risk management and internal controls.
34. The Committee has added value through its activity and in particular:
 - a) It has continued to increase the importance placed upon governance issues, particularly risk management, anti-fraud and corruption and the assurances sought that key risks are being mitigated; and
 - b) It has continued to raise the profile of internal control issues across the Council and to seek to ensure that audit recommendations are implemented.
35. The Committee's remit is achieved firstly through it being appropriately constituted, and secondly by the Committee being effective in ensuring internal accountability, the delivery of Audit and a robust assurance framework. The

Committee has received and challenged reports from management and both internal and external audit.

36. The Committee has continued to have a real and positive contribution to the governance arrangements of the Council. The Committee's key achievement is through the provision of additional assurance relating to the robustness of the Council's arrangements regarding corporate governance, risk management and the control environment.

IMPLICATIONS

Environment and Planning (includes Sustainability)

None specific.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (includes ICT)

There are no financial implications and no direct risk management implications arising from the recommendations.

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

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)

There is no legal or constitutional requirement for the Committee to report to the Council on its work, however, it is considered good practice to do so.

The effective operation of the Audit and Standards Committee forms a key element of the Council's assurance framework. By fulfilling its responsibilities as detailed in its annual report the Audit Committee helps the Council to maintain a high standard of corporate governance.

Audit Committees in local authorities are necessary to satisfy the wider requirements for sound financial management, internal controls and risk as set out in the Accounts and Audit (England) Regulations 2015.

Author: Simon Hill, Head of Governance

Background papers

Audit Committees: Practical Guidance for Local Authorities and Police (2018 Edition)

Appendices

None

Glossary/abbreviations used:

AGS – Annual Governance Statement

CIPFA – Chartered Institute of Public Finance and Accountancy

NFI – National Fraud Initiative

SOLACE – The Society of Local Authority Chief Executives

**MINUTES OF THE CABINET
HELD ON**

25 March 2021

7.30 - 9.45 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 Chris Vince, Portfolio Holder for Community and Wellbeing

Councillor Nancy Watson, Portfolio Holder for Governance, Equality and Diversity

Councillor Mark Wilkinson, Portfolio Holder for Housing

Other Councillors

Councillor David Carter

Councillor Simon Carter

Councillor Joel Charles

Councillor Bob Davis

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

Julie Galvin, Legal Services Manager

Jane Greer, Head of Community Wellbeing

Simon Hill, Head of Governance

Andrew Murray, Head of Housing

Adam Rees, Governance Support Officer

110. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Danny Purton.

111. **DECLARATIONS OF INTEREST**

Councillor Simon Carter declared pecuniary interests in items 14 and 17a as a remunerated Council appointed Director of HTS (Property and Environment) Ltd. He would leave the meeting for the consideration of Item 14.

Councillor Joel Charles declared pecuniary interests in items 14 and 17a as a remunerated Council appointed Director of HTS (Housing and

Regeneration) Ltd and HTS Group Ltd. He would leave the meeting for the consideration of Item 14.

112. **MINUTES**

RESOLVED that the minutes of the meeting held on 25 February 2021 are agreed as a correct record and signed by the Leader.

113. **MATTERS ARISING**

None.

114. **WRITTEN QUESTIONS FROM THE PUBLIC**

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

115. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

116. **PETITIONS**

None.

117. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

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

RESOLVED that the following decision is noted.

a) Portfolio Holder for Housing - 15 March 2021

119. **IMPLEMENTATION OF AN ARTICLE 4 DIRECTION RELATING TO HOUSES OF MULTIPLE OCCUPATION**

Cabinet received a report to approve the implementation of a town wide Article 4 Direction for Houses of Multiple Occupation.

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

RESOLVED that:

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 Harlow Council.

- B** This Article 4 Direction shall come into effect on Monday 12 April 2021.
- 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.

120. **JOINT FINANCE AND PERFORMANCE REPORT, QUARTER 3 2020/21**

Cabinet received the Joint Finance and Performance Report for Quarter 3 2020/21.

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

RESOLVED that Cabinet:

- 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:
 - 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 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.
 - iv) The Council also successfully completed 24 (16 per cent) of its revised service milestones.

121. **HOUSING REVENUE ACCOUNT, QUARTER 3 FINANCE REPORT 2020/21**

Cabinet considered the Housing Revenue Account, Quarter 3 Finance Report 2020/21.

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

RESOLVED that Cabinet noted:

- A** The Quarter 3 - HRA Budget Monitoring report as set out in the following paragraphs and in Appendix 1 and 2.
- 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.
- 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.

122. **CAPITAL PROGRAMMES, QUARTER 3 FINANCE REPORT 2020/21**

Cabinet received the Capital Programmes, Quarter 3 Finance Report 2020/21.

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

RESOLVED that Cabinet:

- 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.
- B** Approved the £11.354 million re-profiling of the 2020/21 HCP into 2021/22.
- 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.
- D** Approved the £1.524 million re-profiling of the 2020/21 NHCP into 2021/22.
- E** Approved the inclusion in the 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).

123. **DEVELOPMENT SCHEME - 4 THE HILL**

Councillors Simon Carter and Joel Charles left the meeting for the consideration of the item.

Cabinet received a report to grant delegated authority to appoint a contractor to carry out new build and demolition works at 4 The Hill.

Proposed by Councillor Tony Durcan (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that Cabinet:

- 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.
- 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.

124. **POLICY AND PROCEDURE FOR DISPOSAL OF LAND WITHIN HOUSING ESTATES**

Cabinet received a report which sought approval to adopt an updated policy for the disposal of land within housing estates.

Proposed by Councillor Mike Danvers (seconded by Councillor Tony Durcan) it was:

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.

125. **AWARD OF FRAMEWORK AGREEMENT FOR LEGAL SERVICES IN SUPPORT OF SPECIAL PROJECTS**

Cabinet received a report to approve entering into a Framework Agreement with five legal advisors in support of special projects.

Proposed by Councillor Nancy Watson (seconded by Councillor Tony Durcan) it was:

RESOLVED that:

- A** A Framework Agreement be entered into with Legal Advisors 1-5.
- B** Officers provide processes to support ease of access to the framework and implement processes to report on use and value.

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

- a) Referral from Scrutiny Committee - Delivery of Council House Building Programme

Cabinet received a referral from the Scrutiny Committee on a review of the Council House building programme.

Proposed by Councillor Tony Durcan (seconded by Councillor Mark Wilkinson) it was:

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.

b) Referral from Scrutiny Committee - Policing and Community Safety Annual Review

Cabinet received a referral from the Scrutiny Committee following a review of policing and community safety.

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.

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

RESOLVED that the minutes of the following meetings are noted.

a) Minutes of meeting Tuesday, 2 February 2021 of Covid-19 Recovery Working Group

128. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

**MINUTES OF THE DEVELOPMENT MANAGEMENT COMMITTEE
HELD ON**

14 April 2021

7.30 - 8.31 pm

PRESENT

Committee Members

Councillor Phil Waite (Chair)
Councillor Bob Davis (Vice-Chair)
Councillor Nancy Watson
Councillor Jean Clark
Councillor Mike Danvers
Councillor Michael Garnett
Councillor Michael Hardware
Councillor Maggie Hulcoop
Councillor Sue Livings
Councillor Clive Souter

Officers

Julie Galvin, Legal Services Manager
Jade Clifton-Brown, Principal Planning Officer
Gavin Cooper, Development Manager
Hannah Criddle, Governance Support Officer
Lisa Thornett, Corporate Governance Support Officer
Tanusha Waters, Planning and Building Control Manager

152. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

None.

153. **DECLARATIONS OF INTEREST**

Councillor Mike Garnett declared a non-pecuniary interest in Item 7 as an Essex County Councillor for Harlow North. Councillor Garnett also declared a personal interest in Item 8 and confirmed he would withdraw from the debate.

Councillor Michael Hardware declared a non-pecuniary interest in Item 9 a Staple Tye Ward Councillor.

Councillor Sue Livings declared a personal interest in Item 8 and confirmed she would withdraw from the debate.

Councillor Clive Souter declared a non-pecuniary interest in Item 9 as an Essex County Councillor for Harlow West.

154. **MINUTES**

RESOLVED that the minutes for the meeting held on 17 March 2021 were agreed as a correct record and signed by the Chair.

155. **MATTERS ARISING**

None.

156. **WRITTEN QUESTIONS**

None.

157. **PROCEDURE FOR CONSIDERATION OF PLANNING APPLICATIONS**

RESOLVED that the procedure for the conduct of the meeting be noted.

158. **HW/FUL/20/00378 - NETTESWELL HALL, PARK LANE, HARLOW**

The Committee received a report and application (HW/FUL/20/00378) on the erection of 20 dwellings (incl. 4 no flats formed through conversion) and associated parking and landscaping (Amended Description).

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. This included an additional consultee response.

A presentation was heard from the applicant's agent.

Councillor Mike Garnett (seconded by Councillor Sue Livings) proposed a further condition for details relating to the renovation of Nettleswell Hall to protect the character of the property. The amendment was carried.

RESOLVED that Committee **AGREED** to delegate the decision to the Head of Environment and Planning to **GRANT** planning permission subject to the applicant entering into an appropriately worded Section 106 Legal Agreement, the conditions in the report (with the removal of condition 14) and the following additional condition:

Prior to works commencing on the site, details of the works to convert Nettleswell Hall to four residential units should be submitted to and approved in writing by the Local Planning Authority. These details shall include: a full structural survey, construction details involving the works to ensure that the building is protected during the conversion works, details and sections of the proposed external windows and doors at a scale of not less than 1:20 and details of the materials to be used to reinstate elevations and repair the

building. The development shall be implemented in accordance with the approved details.

REASON: To ensure that Netteswell Hall is protected during the conversion works and the conversion enhances and retains the non-designated Heritage asset in accordance with policy PL12 of the Harlow Local Development Plan, December 2020.

159. **HW/FUL/20/00611 - 47 HART ROAD, HARLOW**

Councillors Mike Garnett and Sue Livings withdrew from the meeting for this item.

The Committee received a report and application (HW/FUL/20/00611) on the proposed demolition of existing bungalow and the erection of a replacement dwelling house.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. This included amended plans.

Presentations were heard from two supporters and the applicant.

Councillor Jean Clark (seconded by Councillor Clive Souter) proposed an additional condition for the working hours and a construction method statement. The amendment was carried.

RESOLVED that planning permission is **GRANTED** subject to the revised condition 2 in the supplementary report, the remaining conditions as set out in the main published report and the additional following conditions:

No development, including site clearance, tree works, demolition or any other works, shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period. The plan shall provide for the following all clear of the highway:

Safe access into the site

The parking of vehicles of site operatives and visitors

Loading and unloading of plant and materials

Storage of plant and materials used in constructing the development

Wheel and underbody washing facilities

A scheme to minimise the risk of offsite flooding caused by surface water runoff and groundwater during construction;

Measures to demonstrate how noise will be mitigated during the permitted working hours of the demolition and construction process;

Measures to demonstrate how dust production during the demolition and construction process is kept to a minimum.

REASON: In the interest of neighbouring amenity and to ensure that on-street parking of vehicles in the adjoining streets does not occur, to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety, and to ensure that noise and dust are controlled during demolition and construction in accordance with policies PL2 and IN2 of the Harlow Local Development Plan 2020. The details are required to be approved before works commence to ensure the impacts of the development are acceptable.

No construction work shall be carried out on the site at any time on Sundays or public holidays, or before 8am or after 7pm on Mondays to Friday, or before 8am or after 1pm on Saturdays.

REASON: To ensure that the proposed construction works do not prejudice the amenity of neighbouring residents, in accordance with policy PL2 of the Harlow Local Development Plan 2020.

160. **HW/FUL/21/00009 - PINK COTTAGE, COMMONSIDE ROAD, HARLOW**

Councillors Mike Garnett and Sue Livings returned to the meeting.

The Committee received a report and application (HW/FUL/12/00009) on the change of use and division of existing restaurant/takeaway into two units. One unit to be used as a takeaway and other to be a retail shop (Class E) with ancillary cycle and refuse storage.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. This included an update for condition 5.

A presentation was heard from the applicant.

Councillor Phil Waite (seconded by Councillor Jean Clark) proposed an additional condition for a delivery service plan to be submitted to the Council. The amendment was carried.

RESOLVED that planning permission is **GRANTED** subject to the conditions in the report and the additional further condition:

Prior to works commencing a Delivery and servicing management plan (DSMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To ensure delivery and servicing can be undertaken appropriately and in the interests of highway safety and impact on local residents in accordance with policy PL2 and IN1 of the Harlow Local Development Plan, December 2020.

161. **REFERENCES FROM OTHER COMMITTEES**

None.

162. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE DEVELOPMENT MANAGEMENT COMMITTEE
HELD ON**

8 June 2021

7.30 - 9.25 pm

PRESENT

Committee Members

Councillor Michael Garnett (Chair)
Councillor Sue Livings (Vice-Chair)
Councillor Jean Clark
Councillor Bob Davis
Councillor Mike Danvers
Councillor James Leppard
Councillor Nicky Purse
Councillor Clive Souter (substitute for Councillor Ash Malik)

Officers

Gavin Cooper, Development Manager
Nicholas Fu, Senior Planning Officer
Julie Galvin, Legal Services Manager
Adam Rees, Governance Support Officer
Lisa Thornett, Corporate Governance Support Officer
Tanusha Waters, Planning and Building Control Manager

1. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Ash Malik. Councillor Clive Souter was in attendance as his substitute.

2. **DECLARATIONS OF INTEREST**

Councillor Clive Souter declared non-pecuniary interests in items 8 and 9 (HW/FUL/20/00215 and HW/HSE/21/00075) as an Essex County Councillor for Harlow West.

Councillor Michael Garnett declared a non-pecuniary interest in item 7 (HW/FUL/20/00569) as the applicant was Essex County Council.

3. **MINUTES**

RESOLVED that the minutes of the meeting held on 14 April 2021 be agreed and signed as a correct record by the Chair.

4. **MATTERS ARISING**

None.

5. **WRITTEN QUESTIONS**

None.

6. **PROCEDURE FOR CONSIDERATION OF PLANNING APPLICATIONS**

RESOLVED that the procedure be noted.

7. **HW/FUL/20/00569 - PURFORD GREEN DEVELOPMENT SITE**

The Committee received a report and application (HW/FUL/20/00569) for the demolition of existing building and redevelopment to provide 35 dwellings incorporating parking, open space, landscaping and associated infrastructure.

The Committee also received a supplementary report which contained additional representations and amended conditions.

Presentations were heard from an objector, Councillor Dan Swords, and the agent.

RESOLVED that planning permission is **GRANTED** subject to a Section 106 agreement and the conditions in the report, as amended by the change to the heads of terms of the legal agreement and conditions in the supplementary report.

8. **HW/FUL/20/00215 - STAPLE TYE PETROL SERVICE STATION, SOUTHERN WAY**

The Committee received a report and application (HW/FUL/20/00215) for replacing four existing parking spaces by two electric vehicle (EV) charging bays. Installation of associated electrical cabinets, substation and metering and switched gear enclosure.

Presentations were heard from two objectors.

RESOLVED that planning permission is **REFUSED** for the following reason: The proposal by reason of height and design would result in a detrimental impact on the visual amenity of neighbouring residents contrary to policy PL2 of the Harlow Local Development Plan 2020.

9. **HW/HSE/21/00075 - 113 COPSE HILL**

The Committee received a report and application (HW/HSE/21/00075), a single storey infill front extension, single storey rear extension, two storey side extension and alteration to existing fenestration.

RESOLVED that planning permission is **GRANTED** subject to the conditions in the report and the following additional condition:

- i) Acceptable construction hours are between 8.00 and 18.30 on Mondays to Fridays and 8.00 and 13.00 on Saturdays. No construction work should take place or plant operated outside these hours.

REASON: In the interest of neighbouring amenity and to accord with policy PL2 of the Harlow Local Development Plan 2020.

10. **HW/FUL/21/00148 - HARLOW LEISUREZONE, SECOND AVENUE**

The Committee received a report and application (HW/FUL/21/00148) for the change of use of science education area to accommodation for religious teachings (use Class F).

The Committee also received a supplementary report which contained five additional objections from the public.

Representations were heard from an objector and Councillor Tony Edwards.

RESOLVED that planning permission is **REFUSED** for the following reason: The proposed development by reason of discrimination would result in a detrimental impact on Harlow residents and users of the leisure centre. The proposal would therefore be contrary to policies PL1 and L2 of the Harlow Local Plan 2020.

11. **REFERENCES FROM OTHER COMMITTEES**

None.

12. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE AUDIT & STANDARDS COMMITTEE
HELD ON**

16 June 2021

7.30 - 9.02 pm

PRESENT

Committee Members

Councillor Eddie Johnson (Chair)
Councillor Colleen Morrison (Vice-Chair)
Councillor Simon Carter
Councillor Jean Clark
Councillor James Leppard
Councillor Chris Vince
Councillor Gareth Williams

Officers

Hannah Criddle, Governance Support Officer
Natalie Hook, Senior Auditor
Simon Freeman, Head of Finance and Deputy to the Chief Executive
Sarah Marsh, Internal Audit Manager
Stuart Moseley, Senior Insurance Officer

1. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Jodi Dunne and Matthew Saggars. Councillor Gareth Williams attended as a substitute for Councillor Matthew Saggars.

2. **DECLARATIONS OF INTEREST**

None.

3. **MINUTES**

RESOLVED that the minutes of the meeting held on 3 March 2021 are agreed as a correct record and signed by the Chair.

4. **MATTERS ARISING**

None.

5. **WRITTEN QUESTIONS AND PETITIONS**

None.

6. **NON CONTENTIOUS BUSINESS**

None.

7. **AUDITED ANNUAL ACCOUNT 2018/19**

A note was circulated to the Committee before the meeting to confirm that the Council's External Auditors had requested that item 8 on the agenda, the External Auditors Audit Results Report 2018/19 (ISA 260), be withdrawn from the agenda. As a consequence, it would not be practical to consider item 7 on the agenda, Audited Annual Account 2018/19, therefore this was also withdrawn from the agenda.

8. **EXTERNAL AUDITORS AUDIT RESULTS REPORT 2018/19 (ISA 260)**

This item was withdrawn from the agenda.

9. **AUDIT AND STANDARDS COMMITTEE ANNUAL REPORT 2020/21**

The Committee received its annual report, which outlined its activities during the last municipal year.

RESOLVED that the Committee recommends that the Annual Report for the Audit and Standards Committee for 2020/21 be referred to Full Council for approval.

10. **INTERNAL AUDIT ANNUAL REPORT 2020**

The Committee received the Internal Audit Team's annual report, which summarised the results of the internal audit work they had undertaken during the year ending 31 March 2021, and included an overall opinion of the Council's governance, risk management and control framework.

RESOLVED that the Committee noted the report.

11. **ANNUAL GOVERNANCE STATEMENT 2020/21**

The Committee received the Annual Governance Statement for 2020/21.

RESOLVED that the Committee noted the report.

12. **PERIOD 2 INTERNAL AUDIT ACTIVITY REPORT 2020/21**

The Committee received the latest Internal Audit Activity report and reviewed the work undertaken by the Internal Audit Team since the last report received by this Committee.

The Committee requested that Simon Hill, Head of Governance, was invited to the next meeting to provide an update on the complaints procedure which is included within the tracker.

RESOLVED that the report is noted.

13. **RISK MANAGEMENT PROGRESS REPORT**

The Committee received a Risk Management Progress Report.

RESOLVED that:

- A The Committee noted the Strategic Risks and risk scores as at 31 March 2021
- B The Committee noted variations between residual risk scores and agreed risk appetite threshold levels together with current and future risk controls

14. **COMMITTEE WORK PLAN**

The Committee received its current work plan. Simon Freeman confirmed that work plan would be updated to include the 2018/19 Accounts going to Committee in July 2021, the 2019/20 Accounts in November 2021 and the 2020/21 Accounts in March 2022.

RESOLVED that the work plan is noted.

15. **REFERENCES FROM OTHER COMMITTEES**

None.

16. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE CABINET
HELD ON**

17 June 2021

7.30 - 9.05 pm

PRESENT

Committee Members

Councillor Andrew Johnson, Leader of the Council and Lead on Economic Recovery

Councillor Joel Charles, Deputy Leader and Portfolio Holder for Community Resilience

Councillor Simon Carter, Portfolio Holder for Housing

Councillor Alastair Gunn, Portfolio Holder for Environment

Councillor Michael Hardware, Portfolio Holder for Strategic Growth

Councillor Russell Perrin, Portfolio Holder for Finance and Governance

Councillor Dan Swords, Portfolio Holder for Regeneration

Additional Attendees

Councillor James Leppard

Councillor Nicky Purse

Councillor Matthew Saggars

Other Councillors

Councillor David Carter

Councillor Mike Danvers

Councillor Bob Davis

Councillor Tony Durcan

Councillor Tony Edwards

Councillor Eugenie Harvey

Councillor Chris Vince

Councillor Nancy Watson

Officers

Brian Keane, Chief Executive

Andrew Bramidge, Head of

Environment and Planning

Simon Freeman, Head of Finance and

Deputy to the Chief Executive

Jane Greer, Head of Community

Wellbeing

Simon Hill, Head of Governance

Andrew Murray, Head of Housing

Adam Rees, Governance Support

Officer

1. **APOLOGIES FOR ABSENCE**

The Leader said that the next Cabinet meeting would now take place on 12 July due to the Mark Hall by-election.

2. **DECLARATIONS OF INTEREST**

None.

3. **MINUTES**

RESOLVED that the minutes of the meeting held on 25 March 2021 are agreed as a correct record and signed by the Leader.

4. **MATTERS ARISING**

None.

5. **WRITTEN QUESTIONS FROM THE PUBLIC**

None.

6. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

7. **PETITIONS**

a) **Support Local Private Hire and Taxi Drivers**

Cabinet received a petition requesting that financial support be provided to Private Hire/Hackney Carriage drivers due to the Covid-19 pandemic. Councillor Perrin offered to meet with the drivers to discuss what actions could be taken to assist drivers.

RESOLVED that the petition was noted.

8. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

9. **HARLOW AND GILSTON GARDEN TOWN SUSTAINABILITY GUIDANCE**

Cabinet received a report to approve the Harlow and Gilston Garden Town Sustainability Guidance and Checklist as a material planning consideration.

Proposed by Councillor Michael Hardware (seconded by Councillor Dan Swords) it was:

RESOLVED that Cabinet approved the Harlow and Gilston Garden Town Sustainability Guidance and Checklist (March 2021), as set out in Appendix A to the report, as a material consideration in the planning process for the preparation of masterplans, pre-application advice, assessing planning applications and any other development management purpose for all major residential development proposals (of 10 or greater dwellings); applications for change of use resulting in a major residential development; and Council-led housing.

10. **EQUALITY, DIVERSITY AND INCLUSIVITY POLICY**

Cabinet received a report recommending the adoption of an Equality, Diversity and Inclusivity Policy.

Proposed by Councillor Russell Perrin (seconded by Councillor Dan Swords) it was:

RESOLVED that:

A The Equality and Diversity and Inclusivity Policy, attached as Appendix 1 to the report, be adopted.

B Through the Officer Equality Working Group, the Council looks at what 'inclusivity' means for Harlow and develops the Action Plan further to reflect this.

11. **PORTFOLIO HOLDER DELEGATIONS**

Cabinet received a document setting out the Portfolio Holder delegations and areas of responsibility.

Proposed by Councillor Andrew Johnson (seconded by Councillor Michael Hardware) it was:

RESOLVED that the Portfolio Holder Delegations be approved.

12. **APPOINTMENT OF CABINET WORKING GROUPS, PANELS AND PARTNERSHIP BODIES 2021/22**

Proposed by Councillor Andrew Johnson (seconded by Councillor Russell Perrin) it was:

RESOLVED that the appointments to Cabinet Working Groups, Panels and Partnership Bodies 2021/22 be approved.

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

None.

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

RESOLVED that the minutes of the following meetings are noted.

a) Minutes of meeting Thursday, 18 February 2021 of Shareholder Sub Committee

b) Minutes of meeting Wednesday, 24 March 2021 of Harlow Local Highways Panel

15. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL