

**MEETING OF HARLOW COUNCIL  
7.30 pm on Thursday 28 October 2021  
In the Council Chamber, Civic Centre**

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**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 - 14)

To agree the minutes of the meeting held on 16 September 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) Harlow Draft Town Plan

Proposed by Councillor Tony Edwards (seconded by Councillor Mike Danvers):

This Council notes that:

- i) By 2047 a large proportion of the housing stock will be between 70 and 100 years old;
- ii) At the time of their build, standards with regards to energy efficiency and insulation and were markedly different from those required today; and
- iii) In July 2019 the Town made a Climate Emergency commitment.

This Council calls for the insertion of a substantial statement in the Draft Plan to reflect an ambition for all currently existing houses within the Town to be insulated and if necessary retrofitted to modern energy efficient standards by 2047.

This Council will:

- i) Quantify the numbers of houses that will need to be brought up modern energy efficient standards;
- ii) Embark on a plan of action for its own Housing stock; and
- iii) Take a strong strategic lead in working with others with regards to non-council owned stock.

b) Universal Credit

Proposed by Councillor Chris Vince (seconded by Councillor Tony Edwards):

“Harlow Council recognises the significant financial impact on 11,000 plus Harlow residents of the decision of the Government to remove the Uplift provision for those on Universal Credit. Particularly when this comes at a time of rising inflation and soaring energy, fuel and food bills which hit hardest the poorest in society.

This Council will therefore:

- i) Work with organisations such as the Citizen’s Advice Bureau, Mind West Essex and others to monitor and further understand the impact the removal of the uplift will have on children, young people and those most vulnerable in our town;
- ii) Keep under constant review how we as a Council can best direct support;
- iii) Actively participate in the Kickstart Scheme and promote the scheme to local employers; and
- iv) Ask the Chief Finance Officer to write a letter on behalf of the Council to the Chancellor and Prime Minister requesting the government re-introduce the Universal Credit Uplift payment as a matter of urgency.”

9. Election of Leader of the Council

The Chair will call for nominations for the election of the Leader of the Council in accordance with Article 6.2 of the Constitution (if there is more than one nomination, there will be a vote in the usual way).

10. References from Cabinet and Committees
- a) Annual Treasury Management Report 2020/21 (Pages 15 - 26)

11. Reports from Officers

- a) Terms of Reference for Electoral Review Working Group  
(Pages 27 - 30)

12. Minutes of Cabinet and Committee Meetings

To note the following Cabinet and Committee minutes:

- a) Minutes of meeting Tuesday, 7 September 2021 of Licensing Committee (Pages 31 - 33)
- b) Minutes of meeting Thursday, 9 September 2021 of Cabinet  
(Pages 34 - 43)
- c) Minutes of meeting Tuesday, 14 September 2021 of Scrutiny Committee (Pages 44 - 47)
- d) Minutes of meeting Wednesday, 15 September 2021 of Development Management Committee (Pages 48 - 50)
- e) Minutes of meeting Wednesday, 13 October 2021 of Development Management Committee (Pages 51 - 53)
- f) Minutes of meeting Thursday, 14 October 2021 of Cabinet  
(to follow)

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**

16 September 2021

7.30 - 8.35 pm

**PRESENT**

**COUNCILLORS**

Clive Souter (Chair)  
Maggie Hulcoop (Vice-Chair)

David Carter	James Leppard
Simon Carter	Sue Livings
Joel Charles	Ash Malik
Nick Churchill	Russell Perrin
Jean Clark	Nicky Purse
Mike Danvers	Matthew Saggars
Tony Durcan	John Strachan
Tony Edwards	Dan Swords
Michael Garnett	Chris Vince
Michael Hardware	Nancy Watson
Andrew Johnson	Mark Wilkinson
Eddie Johnson	Gareth Williams
Shona Johnson	

**OFFICERS**

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

29. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bob Davis, Jodi Dunne, Alastair Gunn, Eugenie Harvey and Colleen Morrison.

30. **DECLARATIONS OF INTEREST**

None.

31. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 15 July 2021 are agreed as a correct record and signed by the Chair.

32. **COMMUNICATIONS FROM THE CHAIR**

The Chair advised that he had attended a number of events since the last Full Council meeting. This included the Queens award for voluntary services at Down Hall, Brentwood's Civic Service, Rochford's Garden Party, Bishops Stortford's musical picnic, the Mayor of Broxbourne's afternoon tea, Community Embraces around the world food event, the High Sheriff's garden party and the inauguration of the new Bishop of Chelmsford.

The Chair had also attended many events in Harlow including the Great British Spring Clean finale, the opening of a new pizza shop in the town centre and a new sculpture at St Mary's Little Parndon. The Chair also attended the Gibberd Garden Beer Festival and thanked Councillor Danvers for showing him around the gardens.

The Chair advised that his annual golf day took place on 3 September with 60 players taking part. Public Health England were the winning team with three Councillors coming in in second place.

The Chair reminded everyone that his Civic Service would take place on 7 November 2021. The Chair also advised that tickets for the Red Church brewery tour were also still available.

33. **PETITIONS FROM THE PUBLIC**

None.

34. **QUESTIONS FROM THE PUBLIC**

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

35. **QUESTIONS FROM COUNCILLORS**

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

36. **MOTIONS FROM COUNCILLORS**

a) Proposed Developments Around Harlow

Proposed by Councillor Russell Perrin (seconded by Councillor Michael Hardware):

"This Council recognises the huge concerns many residents have about the proposed developments around Harlow, including Sumners West, Katherines West, Latton Priory and to the east of Harlow. There are worries that these developments will overwhelm the existing town transport infrastructure, services and amenities.

In particular, these concerns surround transport links in west and south Harlow, the lack of capacity on Southern Way, Water Lane, Broadley Road and the B181 Epping Road, and the potential impact on local medical and education services.

The proposed strategic housing site to the east of Harlow, and those developments already taking place on Gilden Way and the new M11 junction, will add additional impact upon the residents of Old Harlow who understandably continue to raise objections about the proposals for further new housing.

In support of the above, this Council resolves that it:

- i) Remains against growth to the southern and western boundaries of the town, preferring any growth to be to the north (Gilston Villages) and east of Harlow.
- ii) Will make any representations necessary to communicate that it does not support any development of Sumners West or any other developments to the south or west of Harlow.
- iii) Will not sell or lease any land or rights of way which it possesses that may assist in the development of Sumners West or any other developments to the south or west of Harlow.
- iv) Puts in place a plan to do everything possible to mitigate the impacts of the strategic housing site to the east of Harlow. To better recognise the potential impact on existing residents, particularly in Churchgate Street and the neighbouring parts of Old Harlow that will also be affected, by:
  - Conducting an additional strategic assessment of the proposed housing site to gain further clarity about its feasibility and publish a specific mitigation action plan to limit the severity of the impact of such potential housing growth;
  - Developing a separate agreement between this Council and Old Harlow residents to safeguard the community from future over-development, recognising the importance of preserving the Conservation Area; and
  - Committing to additional consultation in line with the new community engagement strategy that will be developed by this Council, so that Old Harlow residents' concerns can be used to inform future plans to mitigate the prospect of an east strategic housing site.
- v) The Chief Executive in consultation with the Portfolio Holder for Strategic Growth submits a formal objection to Epping Forest District Council Local Development Plan to the extent that it impacts upon points i – iv and sub clauses raised in this motion.”

Councillor Chris Vince (seconded by Councillor Tony Durcan) proposed an amendment to point iii) to add the word “continue” after “will” in the first line.

The amendment was lost.

**RESOLVED** that the motion was carried.

37. **REFERENCES FROM CABINET AND COMMITTEES**

- a) DfT Standards - New Requirements for Private Hire Vehicle Proprietors / Operators and Staff

Full Council considered a referral from the Licensing Committee on the new requirements for Private Hire Vehicle Proprietors/Operators and Staff.

Proposed by Councillor Nick Churchill (seconded by Councillor Andrew Johnson) it was:

**RESOLVED** that Full Council agree that:

- i) A new mandate is introduced to require all vehicle proprietors to provide a basic disclosure certificate from the DBS (Disclosure and Barring Service) and that a new check is undertaken annually.
- ii) A new mandate is introduced to require all Private Hire Vehicle Operator licence holders, to hold a basic disclosure certificate from the DBS and that a new check is undertaken annually.
- iii) A new mandate is introduced to require operator staff who take bookings, dispatch vehicles or any other staff who have access to booking information or have contact with members of the public to hold a Basic disclosure certificate from the DBS and that a new check is undertaken annually.
- iv) Subject to i, ii and iii, the requirements be introduced as set out in the proposals section of this report.

38. **REPORTS FROM OFFICERS**

- a) Independent Member of the Audit and Standards Committee Appointment

Full Council considered a report from Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive, on the appointment of an Independent Member of the Audit and Standards Committee.

Proposed by Councillor Eddie Johnson (seconded by Councillor Jean Clark) it was:

**RESOLVED** that Laura Kirman is appointed as the independent member of the Audit and Standards Committee.

39. **MINUTES OF CABINET AND COMMITTEE MEETINGS**

**RESOLVED** that the minutes of the following meetings are noted.

- a) Minutes of meeting Tuesday, 6 July 2021 of Licensing Committee
- b) Minutes of meeting Wednesday, 7 July 2021 of Development Management Committee
- c) Minutes of meeting Monday, 12 July 2021 of Cabinet
- d) Minutes of meeting Tuesday, 13 July 2021 of Scrutiny Committee

40. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COUNCIL

# Full Council – 16 September 2021

## Questions from the Public

**1 Hugh Hoad to Councillor Andrew Johnson (Leader of the Council and Lead on Economic Recovery):**

When the public space protection order in the town centre was introduced he wanted begging as a thing that wasn't allowed, but his idea wasn't accepted. Now he is Leader will this be introduced?

**Reply from Councillor Andrew Johnson (Leader of the Council and Lead on Economic Recovery):**

The Public Space Protection Orders (PSPO) in the Town Centre (x2) were implemented in August 2019 and will remain in place for a period of three years until August 2022.

It may be possible to extend or vary the PSPOs, for example to change the size of the area covered by the PSPO or to remove or add new prohibitions, such as begging. However, before any changes can be made the council must follow a process to make sure that a number of statutory conditions have been met. The council will also need to gather evidence to show that it has reasonable grounds for any specified problems contained within the PSPO, with clear data and other evidence to justify any variations and additions to it.

During the coming months the council will begin to gather evidence to determine whether or not an extension or variation to the PSPO under any grounds, including begging, can be justified. If the view is that it can, then there will be appropriate consultation and other necessary legislative requirements to undertake before a Cabinet decision can be made on the precise nature of the PSPO.

The council is determined to provide community leadership to address the root cause of begging, that of homelessness, by working with charities including Streets2Homes to identify local issues and signpost individuals to the appropriate support.

**Supplementary Question from Hugh Hoad:**

As you've got to wait to add begging in, there is a total ignorance of the order, wouldn't it be cheaper to do away with the order totally because, yet again, there is a total waste of Council Tax payers money because the order is not enforced?

**Supplementary Reply from Councillor Andrew Johnson (Leader of the Council and Lead on Economic Recovery):**

I think I share your concerns about Public Space Protection Orders and their viability. I think we had a good debate in this Chamber about that back in 2019. The fact that remains Mr Hoad is that this will remain legally enforced until August 2022. To make any changes or to renew at the end of that one or non-renew, we will still require the Council to continue to gather the evidence of effectiveness at the moment. So I think that, at the moment, the Public Space Protection Order will remain in place until August 2022 and, as we gather more evidence over the next nine months, we will then be able to make a future determination about the future of PSPO's or not.

**2 Hugh Hoad to Councillor Andrew Johnson (Leader of the Council and Lead on Economic Recovery):**

As we have not had a separate food waste collection will there be a refund on next year's council tax?

**Reply from Councillor Andrew Johnson (Leader of the Council and Lead on Economic Recovery):**

Food waste collections were temporarily suspended for two weeks due to Veolia operatives having to isolate due to being pinged by the Covid 19 app.

We will bring forward council tax proposals next year as part of the normal budget process.

# Full Council – 16 September 2021

## Questions from Councillors

**1 Councillor Jean Clark to Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):**

Pets' Corner took huge steps to remain a sustainable, popular service. What are the new Administration's expectations regarding the future of Pets' Corner? Are there plans to generate more income? If so, what exactly are they?

**Reply from Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):**

Pets' Corner is a much-loved council asset that makes an important contribution to the health and wellbeing of our community.

Our administration is exploring options to invest in the council's valued non-statutory services, which includes Pets' Corner in the wider portfolio. There are no plans to make changes to the council's community services budgets that will negatively impact frontline delivery.

Work continues by our administration on delivering an updated medium-term financial strategy and a budget for the next municipal year that focuses on extending opportunity and prosperity – the guiding focus that flows through everything the council will aim to achieve in the future. The council's community services will play a key role in promoting inclusion to help realise the goal of extending opportunity. To practically achieve this on the ground, our administration is exploring opportunities for additional income generation at Pets' Corner, which includes looking at further educational opportunities, and scoping the potential to expand the use of the Learning Centre as a more established conference facility.

**Supplementary question from Councillor Jean Clark:**

I think we agree very much on the importance of Pets Corner and I am pleased to hear that there are no plans to make changes that will negatively impact it. There is a fine line between commercialisation and simple income generation. Can you make a commitment that you won't be introducing entry charges for Pets Corner?

**Supplementary reply from Councillor Charles (Deputy Leader and Portfolio Holder for Community Resilience):**

This administration, and let me be crystal clear with the Labour administration, will not be introducing charges at Pets Corner. Only this week, Councillor Clark, did we announce additional investment in Pets Corner; new cladding, larger stable windows for viewing access for young people, particularly families that visit that centre. I myself and colleagues in this room have visited Pets Corner and recognise the value of a free opportunity for families that may be struggling that are able to go to that petting zoo and the excellent work that it does and the fundamental to our support is making sure those families are able to access it in the future. This Council is serious about investing in its community facilities for the benefit of residents and is focussed not only on residents but also the welfare of the animals at Pets Corner. So I take great issue Councillor Clark with your suggestion as it hasn't entered my thought process whatsoever.

**2 Councillor Mike Danvers to Councillor Russell Perrin (Portfolio Holder for Finance and Governance)**

Do all sitting Harlow District Councillors live in Harlow?

**Reply from Councillor Russell Perrin (Portfolio Holder for Finance and Governance):**

All Conservative Councillors live in Harlow.

**Supplementary question from Councillor Mike Danvers:**

In that case Chair, would the Portfolio Holder ask the Conservative Councillors to make it clear in their Declaration of Interest that they do live in Harlow? That is unless of course they have no fixed abode.

**Supplementary reply from Councillor Russell Perrin:**

Yes.

**3 Councillor Mike Danvers to Councillor Simon Carter (Portfolio Holder for Housing)**

Given the situation over the last three months could he outline both the short term and long term strategy for repairing and maintaining the Clock Tower at Puffers Green? Would he consider giving the iconic building a small separate capital budget from the housing revenue capital account schemes for annual maintenance?

**Reply from Councillor Simon Carter (Portfolio Holder for Housing):**

A budget was allocated as part of the Housing Capital programme for 21/22 approved by Cabinet in January 2021.

This forms part of the Council's Housing Investment Programme (HIP) External Works. The scope of works has been developed and been extended to include both internal and external works refurbishing the property. HTS (Property and Environment) Ltd have been awarded the works. They are developing an implementation plan which is expected to complete in December 2021. This will following the planning application required with a listed building and Essex County Council approvals, which are taking longer than usual due to revised Covid-19 working arrangements. The revised updated timetable has been discussed with the tenant.

The clock and bell ringing mechanism is in working order following extensive repairs. The Council is establishing a longer term specialist works agreement to ensure servicing and repairs are mainstreamed should the need arise.

**4 Councillor Tony Durcan to Councillor Andrew Johnson (Leader of the Council and Lead on Economic Recovery):**

Last week was the twentieth anniversary of 9/11 were 2,977 people were murdered.

Your Harlow reminded us all of a local lad born and educated in Harlow who was a victim of this tragedy, Simon Maddison. Whilst he moved to America he should be remembered by Harlow in some way. I ask the council at the next opportunity that we find a naming opportunity to recognise Simon life and his ambitions.

Could we send a message to his family in America and at a suitable time enable them to be aware that Harlow never forgets its own?

**Reply from Councillor Andrew Johnson (Leader of the Council and Lead on Economic Recovery):**

9/11 remains one of the most poignant and tragic events in our lifetime and the twentieth anniversary last weekend was a powerful reminder to reflect on those that lost their lives, including Simon. I was moved by the tribute to Simon in Your Harlow and I'm aware that BBC Essex also carried out an interview with Simon's family in America where they spoke about his life in Harlow and his family home at Paddock Mead.

We should be guided by the wishes of Simon's family and I will ask Officers to gather contact details for his family and so we can ask them what they feel would be an appropriate memorial for Simon.

**Supplementary question from Councillor Tony Durcan:**

Andrew, I completely agree with everything that you said but would you agree with me that something fitting may well be the new buildings at the Lister House area because that is quite close to where Simon was brought up but also equally I hope that you could also look to see whether there is somewhere in the Town Park that we can actually have an area where we can go and enjoy and remember Simon as a good friend and a good comrade of Harlow?

**Supplementary reply from Councillor Andrew Johnson (Leader of the Council and Lead on Economic Recovery):**

I think, Councillor Durcan, there are a number of places around the town where memorials could be. I'm informed that Simon attended Abbotsweld school as I did so I think there are lots of places around the town that could be appropriate. I don't want to specify something until we have had a chance to speak with his family and see a) if they are happy and b) what they feel is appropriate but I am happy to invite Councillor Durcan to join me in the discussion of that once we have details from the family.

**REPORT TO:** CABINET

**DATE:** 9 SEPTEMBER 2021

**TITLE:** ANNUAL TREASURY MANAGEMENT REPORT 2020/21

**PORTFOLIO HOLDER:** COUNCILLOR RUSSELL PERRIN,  
PORTFOLIO HOLDER FOR FINANCE AND GOVERNANCE

**LEAD OFFICER:** SIMON FREEMAN, HEAD OF FINANCE AND PROPERTY AND DEPUTY TO THE CHIEF EXECUTIVE (01279) 446228

**This is not a Key Decision**

**It is on the Forward Plan as Decision Number I012611**

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

The decision stands as a recommendation to Full Council

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

**RECOMMENDED that:**

- A** Cabinet noted the annual Treasury Management Report for 2020/21 (Appendix A to the report), including that the Council operated within the Treasury Management Strategy Statement during 2020/21, and that the report is recommended to Full Council for approval.

**REASON FOR DECISION**

- A** In complying with latest Codes of Practice, Full Council is required to receive an annual report on the prior year's treasury management functions of the Council, which should also receive review by Cabinet in advance of its presentation to Full Council.
- B** The Prudential Indicators are also required to be reported to Full Council. These are included within the annual Treasury Management report.

**BACKGROUND**

1. Treasury management is defined as: "The management of the Council's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

2. During 2020/21 the minimum reporting requirements were that Full Council should receive the following reports:
  - a) An annual treasury strategy in advance of the year (Full Council, 30 January 2020);
  - b) A mid-year treasury update report (Full Council, 10 December 2020);
  - c) An annual review following the end of the year describing the activity compared to the strategy (this report).
3. The annual report for 2020/21 has been produced in compliance with the Code and is set out in Appendix A to this report. The regulatory environment governing treasury management places onus on Councillors for the review and scrutiny of treasury management policies and activities. This report is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Councillors.

## **ISSUES/PROPOSALS**

4. As stewards of public funds, the Council continues to take all practical steps to protect its investment portfolio. In this respect, emphasis remains in this order of priority: security, liquidity and yield.
5. Security is defined as "reducing risk in order to protect the return of capital sums, particularly in relation to the Council's investments". In practice this means placing investments with organisations which have a high quality credit rating, i.e. banks and other bodies which have a Fitch rating of A(-) and above. Local authorities do not, usually, have credit ratings but are generally inherently safe havens for investment. However, in recent years there have been exceptions to this role, for example Northamptonshire County Council and Croydon Borough Council. In these circumstances the Council would continue to follow advice received from the Treasury Management advisors Arlingclose.
6. Liquidity means "ensuring that investments are not committed for excessive time-periods in order to facilitate the Council's cashflow requirements and to reflect the risk of not having immediate access to funds". Councils are discouraged from investing disproportionate sums of money for long periods of time at what seem attractive rates of return.
7. Yield is "obtaining a reasonable return on investments". The ongoing impact of the Covid-19 pandemic and the effect it had on the economy resulted in the Bank of England maintaining the base rate at 0.10 percent during 2020/21. Despite this, the Council has attempted to gain the best yields without compromising security and liquidity.
8. The advice from Arlingclose is that the Council must aim towards a good investment spread as this is the best defence against a possible capital loss. As a result, and within the overarching powers given by Councillors in the Treasury Management Strategy, the Council held investments with the CCLA (the Local Authority property fund), the Royal London Cash-Plus

Fund, Money Market Funds, local authorities, and the Treasury's DMO. It does not currently have any investments with Banks and Building Societies other than funds held overnight with its own banker, Barclays Bank plc.

## **IMPLICATIONS**

### **Environment and Planning (Includes Sustainability)**

None specific.

**Author: Andrew Bramidge, Head of Environment and Planning**

### **Finance (Includes ICT, and Property and Facilities)**

As contained in the report.

**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)**

None specific.

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

## **Appendices**

Appendix A – Annual Treasury Management Report 2020-21

## **Background Papers**

Treasury Management Strategy 2020/21

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

None.

**HARLOW COUNCIL**  
**ANNUAL TREASURY MANAGEMENT REPORT 2020/21**

**Introduction**

1. This Report sets out the Council's Treasury Management outturn position in accordance with recommended practice.
2. It provides a review of external economic conditions impacting on the Council and focuses on the major issues affecting its borrowing and investments.
3. The Council uses specialist treasury management advisors to support its decision making, keep officers up to date with economic and more specifically market developments and providing specialist training and support.
4. As predicted, the falling & historically low interest rates have led to reduced rates of return in 2020/21. The impact of the coronavirus pandemic and the external context, as provided by the Council's Treasury Advisors, Arlingclose, is given in paragraphs 22 to 29 of this Appendix.
5. As a steward of public finance, the Council continues to take all practical steps to protect its investment portfolio. In this respect emphasis remains in this order of priority:

**Security:** some of the following might appear contradictory or elusive in this challenging economic environment

- Reducing risk in order to protect the return of capital sums, particularly in relation to the Council's investments
- The repayment of the sum invested; and / or,
- A return equal to or higher than the prevailing rate of inflation.

**Liquidity:** availability of cash when needed (adequate but not excessive liquidity)

**Yield:** a return commensurate with the level of risk.

6. The Council invests substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remain central to the Council's treasury management strategy.

7. Treasury management activity is guided by the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code). The Code requires the Council to approve a treasury management strategy before the start of each financial year and, as a minimum, a mid-year and annual treasury outturn report. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.
8. The Council's Treasury Management Strategy Statement (TMSS) for 2020/21 was approved by Full Council on 30 January 2020, and was superseded by the TMSS 2021/22, contained within the Capital and Treasury Report 2021/22, approved by Council on 28 January 2021.
9. On 31 March 2021, the Council had net investments of £12.103m arising from its revenue and capital income. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 below.

Table 1: Balance Sheet Summary

	<b>31.3.21 Actual £m</b>
General Fund CFR	71.756
HRA CFR	196.269
<b>Total CFR</b>	<b>268.025</b>
External borrowing	(-)214.837
<b>Internal borrowing</b>	<b>53.188</b>
Less: Usable reserves	(-)78.730
Add: Working	13.439
<b>Net investments</b>	<b>(-)12.103</b>

10. The treasury management position at 31 March 2021 and the change during the year is shown in Table 2.

Table 2: Treasury Management Summary

	<b>31.3.20 Balance £m</b>	<b>Movement £m</b>	<b>31.3.21 Balance £m</b>	<b>31.3.21 Rate %</b>
Long-term borrowing	211.837	-	211.837	3.492%
Short-term borrowing	-	3.000	214.837	0.070%
<b>Total borrowing</b>	<b>211.837</b>	<b>3.000</b>	<b>214.837</b>	
Long-term investments	(-)4.000	-	(-)4.000	2.304%
Short-term investments	-	-	-	n/a
Cash and cash equivalents	(-)22.100	13.929	(-)8.171	0.088%
<b>Total investments</b>	<b>(-)26.100</b>	<b>13.929</b>	<b>(-)12.171</b>	
<b>Net borrowing</b>	<b>185.737</b>	<b>16.929</b>	<b>202.666</b>	

**Borrowing Strategy during the year**

11. At 31 March 2021 the Council held £211.837m of long term loans from the Public Works Loan Board. The Council also undertook short-term borrowing from a local authority for the period 29 March 2021 to 29 June 2021.

**Treasury Investment Activity**

12. The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During the year, the Council's investment balances ranged between £11.16m and £41.99m due to timing differences between income and expenditure. The investment position is shown in table 3 below.

Table 3: Treasury Investment Position

	<b>31.3.20 Balance £m</b>	<b>Net Movement £m</b>	<b>31.3.21 Balance £m</b>	<b>31.3.21 Income Return %</b>
Banks and building societies (unsecured)	3.480	(-)1.985	1.495	0.050%
Government	-	-	-	n/a
Local Authorities	5.000	(-)5.000	-	n/a
Money Market Funds	13.620	(-)6.945	6.675	0.127%
Other Pooled Funds				
Cash Plus Fund Royal London	2.000	-	2.000	0.412%
Property Fund (CCLA)	2.000	-	2.000	4.196%
<b>Total Investments</b>	<b>26.100</b>	<b>(-) 13.930</b>	<b>12.170</b>	

13. Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
14. In furtherance of these objectives Officers have preferred to invest with local authorities rather than individual banks or building societies which carry bail-in risk. Whilst investments in Money Market Funds (MMF) carry risk of bail-in, the Funds themselves are large and diversified and hence the exposure is significantly reduced.
15. The progression of risk and return metrics are shown in the extracts from Arlingclose's quarterly investment benchmarking in Table 4 below.

**Table 4: Investment Benchmarking – Treasury investments managed in-house**

	<b>Credit Score (where 1 is low risk)</b>	<b>Credit Rating</b>	<b>Bail-in Exposure</b>	<b>Weighted Average Maturity (days)</b>	<b>Total Rate of Return %</b>
31.03.2019	4.16	AA-	48%	86	1.09%
31.03.2020	4.19	AA-	77%	31	0.45%
31.03.2021	5.05	A+	100%	1	0.83%
Similar LAs	4.63	A+	65%	40	3.93%
All LAs	4.63	A+	65%	14	2.26%

### **Non-Treasury Investments**

16. The definition of investments in CIPFA's revised Treasury Management Code now covers all the financial assets of the Council as well as other non-financial assets which the Council holds primarily for financial return. This is replicated in the Ministry of Housing, Communities and Local Government's (MHCLG) Investment Guidance, in which the definition of investments is further broadened to also include all such assets held partially for financial return.
17. The Council has lent money to its subsidiary and a local business, to support local public services and stimulate local economic growth.
18. HTS (Property and Environment) Ltd is a wholly owned subsidiary of Harlow Council which began trading on 1 February 2017. The Council provided a start-up loan to the business of £1.209m repayable over sixty two months and approved on 21 July 2016. The balance outstanding at 31 March 2021 was £0.234m.

19. In addition £0.670m was loaned to HTS for the purchase of vehicles and plant and machinery. The balance outstanding at 31 March 2021, for principal and interest, was £0.525m.
20. As part of a property scheme the Council loaned HTS £1.011m for the purchase of five houses. At 31 March 2021 the balance outstanding, for principal and interest, was £0.957m. Interest is charged at 4% over 40 years. This scheme also involved an equity share investment of £0.450m by the Council.
21. Harlow Property Limited was provided with two loans to support its developments within the Harlow Enterprise Zone, approved on 23 January 2014. The advances made were £1m on 15 March 2016 and a further £1.5m on 3 March 2017. Interest accrues on these loans. The total outstanding as at 31 March 2021 was £3.074m with security held against the increase in the property values. This investment generated £139,331 of investment income for the Council, representing a rate of return of 4.64%.

### **Compliance**

22. The Deputy to the Chief Executive and Head of Finance and Property Services reports that all treasury management activities undertaken during the year complied fully with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy.

### **Economic Background**

23. The coronavirus pandemic dominated 2020/21, leading to almost the entire planet being in some form of lockdown during the year. The start of the financial year saw many central banks cutting interest rates as lockdowns caused economic activity to grind to a halt. The Bank of England cut Bank Rate to 0.1% and the UK government provided a range of fiscal stimulus measures, the size of which has not been seen in peacetime.
24. Some good news came in December 2020 as two COVID-19 vaccines were given approval by the UK Medicines and Healthcare products Regulatory Agency (MHRA). The UK vaccine rollout started in earnest; over 31 million people had received their first dose by 31st March.
25. A Brexit trade deal was agreed with only days to spare before the 11pm 31st December 2020 deadline having been agreed with the European Union on Christmas Eve.
26. The Bank of England (BoE) held Bank Rate at 0.1% throughout the year but extended its Quantitative Easing programme by £150 billion to £895 billion at

its November 2020 meeting. In its March 2021 interest rate announcement, the BoE noted that while GDP would remain low in the near-term due to COVID-19 lockdown restrictions, the easing of these measures means growth is expected to recover strongly later in the year. Inflation is forecast to increase in the near-term and while the economic outlook has improved there are downside risks to the forecast, including from unemployment which is still predicted to rise when the furlough scheme is eventually withdrawn.

27. Government initiatives supported the economy and the Chancellor announced in the 2021 Budget a further extension to the furlough (Coronavirus Job Retention) scheme until September 2021. Access to support grants was also widened, enabling more self-employed people to be eligible for government help. Since March 2020, the government schemes have helped protect more than 11 million jobs.
28. Despite the furlough scheme, unemployment still rose. Labour market data showed that in the three months to January 2021 the unemployment rate was 5.0%, in contrast to 3.9% recorded for the same period 12 months ago. Wages rose 4.8% for total pay in nominal terms (4.2% for regular pay) and was up 3.9% in real terms (3.4% for regular pay). Unemployment is still expected to increase once the various government job support schemes come to an end.
29. Inflation has remained low over the 12 month period. Latest figures showed the annual headline rate of UK Consumer Price Inflation (CPI) fell to 0.4% year/year in February, below expectations (0.8%) and still well below the Bank of England's 2% target. The ONS' preferred measure of CPIH which includes owner-occupied housing was 0.7% year/year (1.0% expected).
30. After contracting sharply in Q2 (Apr-Jun) 2020 by 19.8% q/q, growth in Q3 and Q4 bounced back by 15.5% and 1.3% respectively. The easing of some lockdown measures in the last quarter of the calendar year enabled construction output to continue, albeit at a much slower pace than the 41.7% rise in the prior quarter. When released, figures for Q1 (Jan-Mar) 2021 are expected to show a decline given the national lockdown.

## Annex A Prudential Indicators 2020/21

**Capital Expenditure:** The Council's capital expenditure and financing may be summarised and is consistent with the draft statement of accounts, as follows.

Capital Expenditure and Financing	2020/21 Estimate £m	2020/21 Actual £m	Difference £m
General Fund	11.048	11.504	0.456
HRA	27.739	21.556	(-)6.183
<b>Total Expenditure</b>	<b>38.787</b>	<b>33.060</b>	<b>(-)5.727</b>
Capital Receipts	1.772	1.018	(-)0.754
Retained Right to Buy Receipts	3.549	3.814	0.265
Earmarked Reserves	0.020	0.020	0.000
Revenue Contributions (GF)	0.392	0.290	(-)0.102
Grants and Contributions	0.540	0.563	0.023
Major Repairs Reserve	10.229	8.842	(-)1.387
Direct Revenue Contribution (HRA)	2.198	-	(-)2.198
Borrowing	3.339	2.111	(-)1.228
MRP/Loans Fund Principal	-	0.513	0.513
Borrowing: Enterprise Zone (Modus)	5.363	6.927	1.564
Borrowing: Elm Hatch	1.185	0.063	(-)1.122
Borrowing: New Builds/House Purchases	10.200	8.899	(-)1.301
<b>Total Financing</b>	<b>38.787</b>	<b>33.060</b>	<b>(-)5.727</b>

**Capital Financing Requirement:** The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose.

Capital Financing Requirement	31.03.21 Estimate £m	31.03.21 Actual £m	Difference £m
General Fund	75.785	71.756	(-)4.029
HRA	198.426	196.269	(-)2.157
<b>Total CFR</b>	<b>274.211</b>	<b>268.025</b>	<b>(-)6.186</b>

**Actual Debt:** The Council's actual debt at 31 March 2021 was as follows:

Debt	31.03.21 Estimate £m	31.03.21 Actual £m	Difference £m
Borrowing	211.837	<b>214.837</b>	3.000
Finance leases	-	<b>1.512</b>	1.512
<b>Total Debt</b>	<b>211.837</b>	216.349	<b>4.512</b>

**Gross Debt and the Capital Financing Requirement:** In order to ensure that over the medium term debt will only be for a capital purpose, the Council should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years. This is a key indicator of prudence.

Debt and CFR	31.03.21 Estimate £m	31.03.21 Actual £m	Difference £m
Total debt	211.837	<b>216.349</b>	4.512
Capital financing requirement	274.211	<b>268.025</b>	(-)6.186
<b>Headroom</b>	<b>62.374</b>	<b>51.676</b>	<b>(-)10.698</b>

Total debt remained below the CFR during the forecast period.

**Operational Boundary for External Debt:** The operational boundary is based on the Council's estimate of most likely (i.e. prudent but not worst case) scenario for external debt. It links directly to the Council's estimates of capital expenditure, the capital financing requirement and cash flow requirements, and is a key management tool for in-year monitoring. Other long-term liabilities are not borrowing but form part of the Council's debt.

Operational Boundary and Total Debt	31.03.21 Boundary £m	31.03.21 Actual Debt £m	Complied
Borrowing	291.000	<b>216.349</b>	✓
<b>Total Debt</b>	<b>291.000</b>	<b>216.349</b>	✓

**Authorised Limit for External Debt:** The authorised limit is the affordable borrowing limit determined in compliance with the Local Government Act 2003. It is the maximum amount of debt that the Council can legally owe. The authorised limit provides headroom over and above the operational boundary for unusual cash movements.

<b>Authorised Limit and Total Debt</b>	<b>31.03.21 Boundary £m</b>	<b>31.03.21 Actual Debt £m</b>	<b>Complied</b>
Borrowing	301.000	<b>216.349</b>	✓
<b>Total Debt</b>	<b>301.000</b>	<b>216.349</b>	✓

**Ratio of Financing Costs to Net Revenue Stream:** This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs, net of investment income.

<b>Ratio of Financing Costs to Net Revenue Stream</b>	<b>31.03.21 Estimate %</b>	<b>31.03.21 Actual %</b>	<b>Difference %</b>
General Fund	3.29%	<b>3.30%</b>	0.01%
HRA	15.16%	<b>13.99%</b>	(-)1.17%

**REPORT TO:** FULL COUNCIL

**DATE:** 28 OCTOBER 2021

**TITLE:** TERMS OF REFERENCE FOR ELECTORAL REVIEW WORKING GROUP

**LEAD OFFICER:** SIMON HILL, DIRECTOR OF GOVERNANCE AND CORPORATE SUPPORT (01279) 446099

**RECOMMENDED that:**

- A** The terms of reference for the Electoral Working Group be approved as set out in Appendix A to the report.
- B** Five Councillors be appointed to the Working Group in accordance with political balance rules.

**BACKGROUND**

1. The Council currently elects 33 Councillors to eleven different wards. A third of the Councillors (one from each ward) are elected every year. On the fourth year, the Council holds no elections. The County Council's elections take place during the fourth year.
2. The Council has now been approached by the Local Government Boundary Commission for England to undertake a periodic review of the Council's electoral arrangements which will complete by 2024 with all-out elections. Since the previous ward boundary review in 2002, the population within the wards has diverged. Some wards have seen significant development. For example the Newhall development in Old Harlow Ward, has seen the number of electors in Old Harlow grow significantly. Other wards have seen comparatively low growth.
3. Ward boundaries are set by the Local Government Boundary Commission for England (LGBCE). However it is the responsibility of the local authority to make recommendations to the LGBCE.

**ISSUES/PROPOSALS**

4. The Council is expected to make recommendations to the LGBCE on the following:
  - a) The total number of Members of the Council;
  - b) The number and boundaries of electoral wards for the purposes of the election of Councillors;

- c) The number of Councillors to be returned by any electoral division; and
  - d) The name of any electoral area.
5. The Council can also resolve to change its electoral cycle so that all-out elections take place once every four years. The Council can decide to retain its current electoral cycle as well.
  6. Should the local ward boundaries change, there will need to be have all-out elections for the revised ward boundaries regardless of whether the electoral cycle is also changed.
  7. It is recommended that a Working Group is set up to help develop the Council's recommendations to the LGBCE with terms of reference as set out in Appendix A to the report.
  8. The Working Group would be politically balanced with three Conservative and two Labour Councillors

## **IMPLICATIONS**

### **Environment and Planning (Includes Sustainability)**

None specific.

**Author: Andrew Bramidge, Director of Strategic Growth and Regeneration**

### **Finance (Includes ICT, and Property and Facilities)**

None specific.

**Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance**

### **Housing**

None specific.

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

### **Community Wellbeing**

None specific.

**Author: Jane Greer, Director of Communities and Environment**

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

As contained in the report.

**Author: Simon Hill, Director of Governance and Corporate Support**

## **Appendices**

Appendix A – Terms of Reference for Electoral Review Working Group

## **Background Papers**

None.

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

LGBCE – Local Government Boundary Commission for England

## **Appendix A**

### **Electoral Review Working Group**

#### **Composition**

1. The Working Group shall comprise of five Members and will be politically proportionate.

#### **Scope**

2. The Working Group is established to:
  - (a) Oversee and ensure full Member involvement in and support to officers in progressing the review of Council size and the ward boundaries in Harlow by the Local Government Boundary Commission for England (LGBCE).
  - (b) To formulate draft recommendations to the Local Government Boundary Commission for consideration by the Council relating to:
    - (i) the total number of Members of the Council;
    - (ii) the number and boundaries of electoral wards for the purposes of the election of Councillors;
    - (iii) the number of Councillors to be returned by any electoral division; and
    - (iv) the name of any electoral area.
  - (c) To make recommendations to the Council on its future electoral cycle if considered appropriate.
  - (d) To advise the Council, in consultation with officers, on proposals relating to any wider “community governance review” of local democratic and electoral arrangements, which emerge that are considered relevant as a result of the current review process.

#### **Procedures**

3. The Council Procedure Rules will apply to meetings of the Working Group insofar as is necessary to ensure the effective and efficient discharge of the functions of the Working Group, as they apply to Committees and Sub-Committees.
4. The Working Group will appoint a Chair and Vice-Chair from amongst its membership.
5. It is agreed that the Working Group will be established on a task and finish basis. Working Group business will cease upon the conclusion of the current electoral review.

#### **Quorum**

6. The quorum shall be three Members.

**MINUTES OF THE LICENSING COMMITTEE  
HELD ON**

7 September 2021

7.30 - 8.24 pm

**PRESENT**

**Committee Members**

Councillor Nick Churchill (Chair)  
Councillor Clive Souter (Vice-Chair)  
Councillor David Carter  
Councillor Joel Charles  
Councillor Maggie Hulcoop  
Councillor Jodi Dunne  
Councillor Andrew Johnson  
Councillor John Steer  
Councillor Gareth Williams

**Officers**

Michael Pitt, Environment and Licensing Manager  
Adam Rees, Senior Governance Support Officer  
Adam Sherwood, Senior Licensing Officer  
Denise Westwood, Assistant FCilex

11. **APOLOGIES FOR ABSENCE**

None.

12. **DECLARATIONS OF INTEREST**

None.

13. **MINUTES**

**RESOLVED** that the minutes of the meeting on 6 July 2021 are agreed and signed as a correct by the Chair.

14. **MATTERS ARISING**

None.

15. **WRITTEN QUESTIONS AND PETITIONS**

None.

16. **COMMITTEE WORK PLAN**

**RESOLVED** that the work plan was noted.

*The Committee agreed to consider item 8 on the agenda before item 7.*

17. **DFT STANDARDS - NEW REQUIREMENTS FOR PRIVATE HIRE VEHICLE PROPRIETORS / OPERATORS AND STAFF**

The Committee received a report which recommended requiring vehicle proprietors, Private Hire Vehicle Operator licence holders and operator staff involved with taking bookings, dispatching vehicles or access to related information to provide basic DBS (Disclosure and Barring Service) check.

**RESOLVED** that the Licensing Committee recommended to Full Council that:

- A** A new mandate is introduced to require all vehicle proprietors to provide a basic disclosure certificate from the DBS (Disclosure and Barring Service) and that a new check is undertaken annually.
- B** A new mandate is introduced to require all Private Hire Vehicle Operator licence holders, to hold a basic disclosure certificate from the DBS and that a new check is undertaken annually.
- C** A new mandate is introduced to require operator staff who take bookings, dispatch vehicles or any other staff who have access to booking information or have contact with members of the public to hold a Basic disclosure certificate from the DBS and that a new check is undertaken annually.
- D** Subject to A, B and C the requirements be introduced as set out in the Proposals section of this report.

18. **OPTIONS TO ADDRESS STREET DRINKING FROM WITHIN THE LICENSING SYSTEM**

The Committee considered potential new licensing controls to reduce the amount of street drinking within Harlow.

**RESOLVED** that:

- A** The Licensing Committee noted and approved short term measures to address concerns about street drinking set out under Proposals at paragraphs 22 and 23 of the report.
- B** Example licence conditions to address issues discussed in this report to be adapted to individual premises by future Licensing Sub Committees be drafted by the Licensing Team in consultation with the Chair of the Committee.

- C Following consultation with Responsible Authorities, the Council's Community Safety team and relevant agencies a report to a future licensing Committee be presented on options for a more extensive voluntary scheme to mitigate the harms of street drinking through a responsible approach to alcohol sales.

19. **REFERENCES FROM OTHER COMMITTEES**

None.

20. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

**MINUTES OF THE CABINET  
HELD ON**

9 September 2021

7.30 - 10.24 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 Dan Swords, Portfolio Holder for Regeneration

**Additional Attendees**

Councillor James Leppard

Councillor Nicky Purse

Councillor Matthew Siggers

**Officers**

Brian Keane, Chief Executive

Andrew Bramidge, Head of Environment and Planning

Niel Churchill, Communications Manager

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

Julie Galvin, Legal Services Manager

Jane Greer, Head of Community Wellbeing

Andrew Murray, Head of Housing

Adam Rees, Senior Governance Support Officer

**Other Councillors**

Councillor David Carter

Councillor Mike Danvers

Councillor Tony Durcan

Councillor Tony Edwards

Councillor Eugenie Harvey

Councillor Chris Vince

Councillor Nancy Watson

Councillor Mark Wilkinson

33. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Russell Perrin.

34. **DECLARATIONS OF INTEREST**

None.

35. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 12 July 2021 are agreed as a correct record and signed by the Leader.

36. **MATTERS ARISING**

None.

37. **WRITTEN QUESTIONS FROM THE PUBLIC**

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

38. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

39. **PETITIONS**

None.

40. **FORWARD PLAN**

Councillor Charles said that the report on the Partnership Grant Review would now be considered at the 4 November meeting. The Health and Wellbeing Strategy would now be a position statement to enable up to date data to inform the strategy.

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

41. **JOINT FINANCE AND PERFORMANCE REPORT, QUARTER 1 2021/22**

Cabinet received the Joint Finance and Performance Report for Quarter 1 2021/22.

Proposed by Councillor Andrew Johnson (seconded by Councillor Dan Swords) it was:

**RESOLVED** that Cabinet noted:

**A** the projected outturn position set out in sections three and four of Appendix A to this report for the first quarter (April – June) of 2021/22 as follow:

- i) A projected overspend of £103,000 representing 0.2 per cent of the gross General Fund Budget.
- ii) The Council performed on or above target for 40 out of 46 (87 per cent) of its monthly and quarterly Key Performance Indicators (KPIs); and successfully completed 6 out of 59 (10 per cent) of its service milestones.

42. **HOUSING REVENUE ACCOUNT, QUARTER 1 FINANCE REPORT 2021/22**

Cabinet received the Housing Revenue Account, Quarter 1 Finance Report 2021/22.

Proposed by Councillor Simon Carter (seconded by Councillor Andrew Johnson) it was:

**RESOLVED** that Cabinet noted:

- A** The Quarter 1 – Housing Revenue Account (HRA) Budget Monitoring report as set out in the report and in Appendix 1 and 2.
- B** That the forecast HRA general working balance as at 31 March 2022 will be £3.246 million.
- C** The recent changes made to the use of retained Right to Buy (RTB) receipts and the balance of £7.067 million of retained RTB receipts held as at 31 March 2021 in order to finance the new build capital programme.

43. **CAPITAL PROGRAMMES, QUARTER 1 FINANCE REPORT 2021/22**

Cabinet received the Capital Programmes, Quarter 1 Finance Report 2021/22.

Proposed by Councillor Simon Carter (seconded by Councillor Andrew Johnson) it was:

**RESOLVED** that Cabinet:

- A** Notes the progress in the delivery of the Council’s Housing Capital Programme (HCP) as at Quarter 1 2021/22 as follows:
  - i) The current budget is £38.922 million, including £1.25 million carried forward from 2020/21. The projected outturn at Quarter 1 is £34.249 million as set out in Appendix 1 to the report.
- B** Noted the progress in the delivery of the Council’s Non Housing Capital Programme (NHCP) as at Quarter 1 2021/22 as follows:
  - i) The current budget is £23.328 million, including £3.984 million carried forward from 2020/21. The projected outturn at Quarter 1 is £18.302 million as set out in Appendix 2 to the report.
- C** Noted that various delays encountered across both the Housing and Non Housing Capital Programmes, many of which are as a direct result of the Pandemic, mean it is anticipated that further re-profiling will be required at Quarter 2 2021/22.

- D Approved the inclusion in the NHCP budget of an additional £17,760 for the purchase of tablets and the use of a Mobile Canvasser Application for Electoral Registration, Canvass and Elections. Expenditure is to be financed from the annual IER grant and an approved Revenue carry over from 2020/21.

44. **ANNUAL TREASURY MANAGEMENT REPORT 2020/21**

Cabinet received the Annual Treasury Management Report 2020/21.

Proposed by Councillor Andrew Johnson (seconded by Councillor Joel Charles) it was:

**RESOLVED** that Cabinet noted:

- A The annual Treasury Management Report for 2020/21 (Appendix A to the report), including that the Council operated within the Treasury Management Strategy Statement during 2020/21, and that the report is recommended to Full Council for approval.

45. **TOWN PLAN - DRAFT FOR CONSULTATION**

Cabinet received a report to approve a consultation on the draft Town Plan.

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

**RESOLVED** that:

- A Cabinet endorsed the vision and aspirations as set out in the consultation draft of the Harlow Town Plan as set out in Appendix A to the report.
- B Cabinet authorised that public consultation be undertaken on this draft for a period of eight weeks with any minor amendments following the Cabinet meeting to be delegated to the Head of Environment & Planning in conjunction with the Portfolio Holders for Strategic Growth and Regeneration.
- C The Town Plan Panel then considers the results of the subsequent consultation exercise and produces an updated version of the Town Plan for adoption by Cabinet.

46. **EV CHARGE POINTS CONTRACT AWARD**

Cabinet received a report to approve a contract for the supply of EV chargepoints.

*Councillor Tony Durcan declared a pecuniary interest as a remunerated Council appointed Director of HTS (Housing and Regeneration) Ltd.*

Proposed by Councillor Alastair Gunn (seconded by Councillor Dan Swords) it was:

**RESOLVED** that:

- A** Harlow Council enters into a contract with BP Pulse for the supply of Electric Vehicle (EV) chargepoints in pay and display car parks as listed.
- B** Authority be delegated to Head of Finance to negotiate and (if appropriate and in consultation with the Portfolio Holder for Environment) legally complete the necessary contract documents.
- C** Harlow Council implements a steering group and officer working group to develop a strategy to install On Street Residential Chargepoints (ORCS) in residential estates and in other locations across the town.

47. **CONTRACT AWARD FOR DELIVERY OF HARLOW COMMUNITY HUB SERVICE**

Cabinet received a report for a contract award to provide a pilot community hub service.

Proposed by Councillor Joel Charles (seconded by Councillor Andrew Johnson) it was:

**RESOLVED** that:

- A** Contractor A is awarded the contract for delivery of a Pilot Community Hub Service for a period of six months from 1 October 2021 at £90,000 subject to Paragraph 13 in the report.

48. **FIRE SAFETY WORKS - PENNYMEAD TOWER, NETTESWELL TOWER AND SPRING HILLS TOWER**

Cabinet received a report to award a contract for fire safety works on Pennymead, Netteswell and Spring Hills towers.

Proposed by Councillor Simon Carter (seconded by Councillor Andrew Johnson) it was:

**RESOLVED** that:

- A** The most advantageous tender in consideration of price and quality combined as submitted by Contractor B, be accepted in

the sum of £1,060,367 for the delivery of updated fire compartmentation between floors, in service duct and ventilation system, internal and front entrance fire doors programme, subject to contract and Leaseholder Consultation.

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

a) **Referral from Scrutiny Committee - Housing and Accommodation - Requirements for Adults with a Moderate/Severe Learning Disability**

Cabinet received a referral from the Scrutiny Committee on housing and accommodation requirements for adults with a moderate/severe learning disability.

Proposed by Councillor Simon Carter (seconded by Councillor Andrew Johnson) it was:

**RESOLVED** that:

- A** The recommendations contained in the consultant's report be adopted.
- B** Cabinet noted the Committee will be considering a report on the implementation of the recommendations at its meeting in July 2022.

b) **Referral from Cabinet Policy Development Working Group - Carbon Management Plan**

Cabinet received a referral from the Cabinet Policy Development Working Group on the Carbon Reduction Plan.

Proposed by Councillor Alastair Gunn (seconded by Councillor Andrew Johnson) it was:

**RESOLVED** that Cabinet:

- A** Approved the Carbon Reduction Plan for 2021-26 as attached to this report with a commitment to achieving a 15.6% reduction in carbon emissions from the Council's operations in the plan period, equating to a 50% reduction on the 2014/15 baseline.
- B** Agreed to set a target of achieving Net Zero by 2040 with a commitment to review this on an annual basis and seek to improve on this target as the development of carbon free technology enables that to happen.

- C Agreed to receive a further report to set out how the Council, in exercising its community leadership role, can bring forward a broader Climate Change Strategy for the town.

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

**RESOLVED** that the minutes of the following meetings are noted.

- a) Minutes of meeting Wednesday, 23 June 2021 of Harlow Local Highways Panel
- b) Minutes of meeting Thursday, 1 July 2021 of Shareholder Sub Committee
- c) Minutes of meeting Thursday, 5 August 2021 of Cabinet Policy Development Working Group

51. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

# **Cabinet – 9 September 2021**

## **Questions from the Public**

### **1 Nicholas Taylor to Councillor Andrew Johnson (Leader of the Council):**

The consultation period for Epping Forest District Council's (EFDC's) Local Development Plan Main Modifications is now under way and comments are invited to be received by 23rd September 2021. Harlow residents have not been consulted about this Plan although it proposes to allow the building of several thousand new homes on Harlow's borders with Epping Forest District Council (EFDC) on what is effectively Harlow's Green Belt. In fact, some existing Harlow residents' gardens are just 12 feet from the EFDC proposals.

My first question is: Although there was a good opportunity to do so in the latest edition of Harlow Times, why were Harlow residents not informed of this Local Development Plan to build several thousand new homes on Harlow's borders?

### **Reply from Councillor Andrew Johnson (Leader of the Council):**

Harlow Council was not informed of Epping Forest District Council's publication of their Local Plan Main Modifications consultation in advance of this appearing on the Examination website on 15 July. The print deadline for the summer edition of Harlow Times was 9 July, and so it would not have been possible to have included an article on the Consultation.

### **2 Nicholas Taylor to Councillor Andrew Johnson (Leader of the Council):**

My second question is: As one of the pledges stated by your Party in the pre-election leaflet published in March this year was to 'Stop Summers West to prevent over development in our community', would you please advise me of what action you and your Party are taking to fulfil this promise?

### **Reply from Councillor Andrew Johnson (Leader of the Council):**

Harlow Conservatives have consistently spoken against, campaigned against and voted against development to the south and west of Harlow since the proposal started to be made in the early 2000's

This Conservative group moved the longstanding policy that Harlow Council was against growth to the South and West of the town.

Under the previous Council, the Labour party did not take that position however and shamefully reversed that policy instead choosing to actively promote growth in that

area and welcoming Epping Forest District Council plans to build widescale developments in Sumners West, Katherines West and Latton Priory.

My party clearly stood on a platform of opposing these developments at the local election and this was most welcomed by the residents of Staple Tye, Harlow Common and specifically Sumners & Kingsmoor and Great Parndon.

We stand ready to honour that commitment to residents and deliver on the pledge we made.

Mr Taylor may not be aware that the agenda for the full council next Thursday 16<sup>th</sup> September was published last night and I point him to that agenda, which includes a motion from my group on this issue; a motion that if passed will see the council formally object to the Epping Forest District Council Local Plan.

I can assure residents that Conservative councillors intend to pass the motion.

**Supplementary question from Nicholas Taylor:**

The Inspector has said that it is now too late for objections to the plan other than minor representations. If the motion is passed next week will you formally end the agreement you have to work with Epping Forest District Council on part of their local plan which forms part of the Harlow and Gilston Garden Town?

**Supplementary reply from Councillor Andrew Johnson (Leader of the Council):**

I'm aware of the comments that the Inspector has made, but my Administration still has a duty to object formally at this point. I'm not willing to end the agreement to work together on Harlow and Gilston Garden Town. We will have to work together with Epping Forest on sites to the East of Harlow. By working together we have a better chance of securing regeneration that Harlow needs and securing housing nomination rights to houses built outside of Harlow. If the Inspector approves the Epping Forest plan I want Harlow Council to have the maximum say possible

**3 Alan Leverett to Councillor Dan Swords (Portfolio Holder for Regeneration):**

The Cycle Network in Harlow has been well use during the pandemic and we would hope will continue to be used more when things return to some normality. I am aware that the areas of cycle tracks and footpaths in the ownership of Essex County Council have a maintenance programme in progress whereas the areas under the ownership of the Harlow Council are being left in an appalling state of repair.

Can the Councillor Swords inform me of how much the council will have in this year budget to maintain the footpaths and cycle tracks and when do they expect the maintenance work to be carried out?

**Reply from Councillor Dan Swords (Portfolio Holder for Regeneration):**

I am delighted that Mr Leverett has raised what is one of the most exciting areas of my portfolio, namely our plan to rebuild Harlow's cycle track network to a truly world beating standard.

As Mr Leverett knows, because I nearly rode into him on a cycle path a few weeks ago, my passion for this area knows no bounds. I agree that, as with so many areas of the regeneration portfolio, the cycle track network of Harlow has faced decades of decline, with no one taking responsibility to right that wrong.

But that failure ends, and it ends now. I have an extremely ambitious plan to completely rebuild the entirety of Harlow's cycle track network and I am afraid Mr Leverett will have to wait just a short while longer for me to unveil that plan and the funding package to deliver it.

Specifically in response to his point about the adoption schedule, at present Harlow Council owns approximately 10 percent of the town's cycle track network with the remainder being adopted by Essex County Council.

I do not agree with his assessment that Essex County Council have done a fantastic job on their areas and Harlow Council has not. The whole network needs a complete rebuilding and that is what we will deliver.

**Supplementary question from Alan Leverett:**

Will you look to raise funds and how do you plan to extend the network up to new housing estates and the new hospital if built

**Supplementary reply from Councillor Dan Swords (Portfolio Holder for Regeneration):**

I can give you a concrete guarantee that we will plan to do those things.

**MINUTES OF THE SCRUTINY COMMITTEE  
HELD ON**

14 September 2021

7.30 - 9.30 pm

**PRESENT**

**Committee Members**

Councillor Tony Edwards (Chair)  
Councillor David Carter (Vice-Chair)  
Councillor Nick Churchill  
Councillor Tony Durcan  
Councillor Mike Garnett (as substitute for Councillor Gareth Williams)  
Councillor Eugenie Harvey  
Councillor Shona Johnson  
Councillor Nicky Purse

**Also Present**

Councillor Joel Charles  
Councillor Alastair Gunn  
Councillor Andrew Johnson  
Councillor Dan Swords

**Officers**

Andrew Bramidge, Head of Environment and Planning  
Jane Greer, Director of Community Wellbeing  
Simon Hill, Head of Governance  
Alison Hodgson, Electoral Services Manager  
Adam Rees, Senior Governance Support Officer

14. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Gareth Williams.  
Councillor Mike Garnett was in attendance as his substitute.

15. **DECLARATIONS OF INTEREST**

Councillor Nicky Purse declared a non-pecuniary interest in Item 11 as her husband worked for Veolia.

Councillor David Carter declared a non-pecuniary interest in Item 12 as a site rep for Harlow Allotment Association.

16. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 13 July 2021 are agreed as a correct record and signed by the Chair.

17. **MATTERS ARISING**

None.

18. **WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

None.

19. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

20. **RESPONSES OF THE CABINET TO REPORTS OF THE SCRUTINY COMMITTEE**

- a) Housing and Accommodation Requirements for Adults with a Moderate/Severe Learning Disability

**RESOLVED** that the Committee noted that Cabinet adopted the recommendations in the consultant's report (attached as Appendix A to the report).

21. **PRE-SCRUTINY OF COMMUNITY SAFETY STRATEGY**

The Chair invited Councillor Charles to speak about the Community Safety Strategy. He said that one of the focusses would be to confront anti-social behaviour in partnership with other organisations. He also wanted to focus on domestic abuse on a cross party basis. The Strategy would outline how the Council could address these issues as a community leader. In response to questions by the Committee, Councillor Charles said that the Strategy would refresh the Council's general approach to issues including anti-social behaviour to support early intervention and to complement the Resilience Strategy. The Community Safety Strategy would also aim to support third sector and informal groups.

The Strategy would have thematic targets. Whistleblowing processes were already in place, both internally and externally, but he would look at how the Council could act as a community leader.

He wanted to push the Police to be more proactive in terms of engagement with the public, and to see a resumption of engagement following the pandemic.

Engagement with young people would be an important part of the Strategy and he welcomed input from the Committee on how best to achieve this. On the issue of domestic abuse one of the aims would be to ensure that people were confident that they would be supported.

**RESOLVED** that the Portfolio Holder would be invited to attend the Scrutiny Committee meeting before the Community Safety Strategy was due to be considered by Cabinet.

22. **REVIEW OF TURNOUT IN LOCAL ELECTIONS - INITIAL REPORT**

The Committee received an initial report on the review of turnout in local elections.

It was agreed that question 2 in the consultation would have an additional option 'choose not to vote,' question 3 would be amended to read 'if you choose not to vote' and the first option on question 5 would be split into two separate options.

**RESOLVED** that the Committee:

- A** Noted the information within the report as background and future government proposals.
- B** Approved the questions (attached as Appendix D to the report) for consultation subject to the following amendments:
  - i) Question 2 in the consultation would have an additional option 'choose not to vote.'
  - ii) Question 3 would be amended to read 'if you choose not to vote.'
  - iii) Question 5 would be split into two separate options.

23. **PADDLING POOLS**

The Chair explained that Councillor Charles had been asked to attend to speak about paddling pools following a request made to the Chief Executive in accordance with the scrutiny procedure rules.

Councillor Charles explained that the delay in the opening of the Town Park was caused by a sealant not drying fully before the initial opening. This required specialist contractors to fix. Pending an internal investigation he was limited on what he could tell the committee. He had however reviewed the project planning in place and had requested a four week buffer no work period before opening in future years.

Councillor Charles said the Council's previous policy for toilet provision at paddling pools and splash parks was to work with co-located facilities. There would need to be a considered approach for providing further toilet provision as these facilities would require ongoing supervision.

24. **REFUSE COLLECTION**

The Chair explained that Councillor Gunn had been asked to attend to speak about refuse collection following a request made to the Chief Executive in accordance with the scrutiny procedure rules.

Councillor Gunn said that the decision to suspend separate food waste collection was based on staff shortages experienced by Veolia. The Council was adopting a robust approach on managing the contract with Veolia. There were a number of wider issues, including a national shortage of HGV drivers. Communication with the wider public could be improved if the Council was made aware of potential issues by Veolia ahead of time.

He explained that there was a need to rebalance waste collection routes as new developments in Harlow meant that there were more collections at the beginning of the week. Veolia needed to present a viable case on how the routes could be rebalanced. This expected to take until at least Christmas to be finalised.

25. **WORK PLAN**

The Committee received a report summarising its work plan for 2021/22.

It was agreed that Councillors David Carter and Tony Durcan would assist Officers with the review of allotments.

Councillors Eugenie Harvey, Maggie Hulcoop, Shona Johnson, Nicky Purse and Tony Durcan would assist with the review of support for victims of domestic abuse and sexual harassment.

**RESOLVED** that the work plan be noted.

26. **REFERENCES FROM OTHER COMMITTEES**

None.

27. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

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

15 September 2021

7.30 - 9.18 pm

**PRESENT**

**Committee Members**

Councillor Michael Garnett (Chair)

Councillor Sue Livings (Vice-Chair)

Councillor Jean Clark

Councillor Maggie Hulcoop (as substitute for Councillor Bob Davis)

Councillor James Leppard

Councillor Ash Malik

Councillor Nicky Purse

**Officers**

Gavin Cooper, Development Manager

Hannah Criddle, Governance Support Officer

Tanusha Waters, Planning and Building Control Manager

Simon Hill, Head of Governance

23. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Mike Danvers and Bob Davis. Councillor Maggie Hulcoop attended as a substitute for Councillor Bob Davis.

24. **DECLARATIONS OF INTEREST**

Councillors Maggie Hulcoop and James Leppard raised a non-pecuniary interest in item 8 (HW/FUL/21/00320) as Harlow Common Ward Councillors.

25. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 7 July 2021 were agreed as a correct record and signed by the Chair.

26. **MATTERS ARISING**

None.

27. **WRITTEN QUESTIONS**

None.

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

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

29. **HW/FUL/21/00181 - 4 WYCH ELM, HARLOW, ESSEX, CM20 1QP**

The Committee received a report and application (HW/FUL/21/00181) on the demolition of the existing building and erection of building ranging between 6 and 15 storeys comprising 82 residential flats (Class C3) and flexible commercial floorspace (Class E), communal amenity space, with associated parking, waste/recycling storage and other associated works.

Presentations were heard from three objectors, Councillor Chris Vince and the applicant's agent.

**RESOLVED** that planning permission is **REFUSED** for the following reasons:

1. The proposal by reason of the lack of provision for local infrastructure including schools, sustainable transport measures and doctor's surgeries would be unacceptable in planning terms with inadequate mitigation of the impact of the development. The proposal would therefore be overdevelopment and would be contrary to policy IN6 of the Harlow Local Development Plan 2020.
2. The proposal by reason of the lack of car parking and servicing results in overdevelopment which would give rise to parking issues on Wych Elm and the wider area contrary to policies IN2 and IN3 of the Harlow Local Development Plan 2020.

30. **HW/FUL/21/00320 - THREE HORSESHOES PUBLIC HOUSE, THREE HORSESHOES ROAD, HARLOW, ESSEX, CM19 4HB**

The Committee received a report and application (HW/FUL/21/00320) on a new timber framed pergola with shingle felt roof, festoon lighting and heat lamps to existing patio area. Repositioning of the existing smoking shelter along with the removal of the drinks shelf to the existing smoking area.

Presentations were heard from one objector and Councillor David Carter.

**RESOLVED** that planning permission is **GRANTED** subject to the conditions in the report.

31. **HW/FUL/21/00330 - LAND WEST OF 66 RADBURN CLOSE, RADBURN CLOSE, HARLOW, ESSEX**

The Committee received a report and application (HW/FUL/21/00330) on the change of use of public land to private land for extension of the rear garden of 66 Radburn Close.

Presentations were heard from one objector and the applicant.

**RESOLVED** that planning permission is **GRANTED** subject to the conditions in the report.

32. **REFERENCES FROM OTHER COMMITTEES**

None.

33. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE

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

13 October 2021

7.30 - 8.11 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

**Officers**

Gavin Cooper, Development Manager  
Julie Galvin, Legal Services Manager  
Hannah Criddle, Governance Support Officer  
Andrew Bramidge, Director of Strategic Growth and Regeneration

34. **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Ash Malik. Councillor Clive Souter attended as a substitute for Councillor Ash Malik.

35. **DECLARATIONS OF INTEREST**

Councillor Jean Clark declared a non-pecuniary interest in item 7 (HW/FUL/21/00384) as an occasional user of the business.

Councillor Bob Davis declared a non-pecuniary interest in item 8 (HW/HSE/21/00388) as a Mark Hall Ward Councillor.

Councillor Mike Garnett declared a non-pecuniary interest in item 8 (HW/HSE/21/00388) as an Essex County Councillor for Harlow North.

Councillor Nicky Purse declared a non-pecuniary interest in item 7 (HW/FUL/21/00384) as a business manager in the Water Gardens.

Councillor Clive Souter declared a non-pecuniary interest in item 7 (HW/FUL/21/00384) as an Essex County Councillor for Harlow West.

36. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 15 September 2021 were agreed as a correct record and signed by the Chair.

37. **MATTERS ARISING**

None.

38. **WRITTEN QUESTIONS**

None.

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

**RESOVLED** that the procedure for the conduct of the meeting be noted.

40. **HW/FUL/21/00384 - ESQUIRES COFFEE HOUSE, CIVIC WALK, COLLEGE SQUARE, HARLOW**

The Committee received a report and application (HW/FUL/21/00384) on the change of use of case to a restaurant and bar.

The Committee also received a supplementary report containing information which had been received after the publication of the agenda. This included an additional condition and amended drawings received.

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

41. **HW/HSE/21/00388 - 17 MARK HALL MOORS, HARLOW**

The Committee received a report and application (HW/HSE/21/00388) on a single storey rear extension and summerhouse to the rear garden.

Presentations were heard from an objector and the applicant's agent.

**RESOLVED** that planning permission is **GRANTED** subject to the conditions set out in the report.

42. **HW/HSE/21/00451 - 64 PURFORD GREEN, HARLOW**

The Committee received a report and application (HW/HSE/21/00451) on a single storey wrap around extension consisting of pitched roof construction.

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

Presentations were heard from the applicant's agent.

**RESOLVED** that planning permission is **GRANTED** subject to the conditions set out in the report and the additional condition in the supplementary report.

43. **REFERENCES FROM OTHER COMMITTEES**

None.

44. **MATTERS OF URGENT BUSINESS**

None.

CHAIR OF THE COMMITTEE