

**MINUTES OF THE CABINET
HELD ON**

27 January 2022

7.30 - 9.20 pm

PRESENT

Committee Members

Councillor Russell Perrin, Leader of the Council
Councillor Joel Charles, Deputy Leader and Portfolio Holder for Business and Community Resilience
Councillor Simon Carter, Portfolio Holder for Housing
Councillor Alastair Gunn, Portfolio Holder for Governance
Councillor Michael Hardware, Portfolio Holder for Strategic Growth
Councillor James Leppard, Portfolio Holder for Finance
Councillor Nicky Purse, Portfolio Holder for Environment
Councillor Dan Swords, Portfolio Holder for Regeneration

Additional Attendees

Councillor Matthew Siggers

Other Councillors

Councillor David Carter
Councillor Mike Danvers
Councillor Tony Durcan
Councillor Tony Edwards
Councillor Michael Garnett
Councillor Colleen Morrison
Councillor Chris Vince
Councillor Nancy Watson
Councillor Mark Wilkinson

Officers

Brian Keane, Chief Executive
Andrew Bramidge, Director of Strategic Growth and Regeneration
Niel Churchill, Communications Manager
Simon Freeman, Deputy to the Chief Executive and Director of Finance
Jane Greer, Director of Communities and Environment
Simon Hill, Director of Governance and Corporate Services
Andrew Murray, Director of Housing
Adam Rees, Senior Governance Support Officer

104. **APOLOGIES FOR ABSENCE**

None.

105. **DECLARATIONS OF INTEREST**

Councillor Tony Durcan declared a pecuniary interest in items 9-15 as a Council appointed Non-Executive Director of HTS (Housing and Regeneration) Ltd.

Councillor Chris Vince declared a non-pecuniary interest in items 9-15 as an employee of Streets2Homes.

106. **MINUTES**

RESOLVED that the minutes of the meeting held on 2 December 2021 are agreed as a correct record and signed by the Leader.

107. **MATTERS ARISING**

None.

108. **WRITTEN QUESTIONS FROM THE PUBLIC**

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

109. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

110. **PETITIONS**

None.

111. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

The Leader said that with the consent of Cabinet he would take items 9-15 en-bloc.

112. **MEDIUM TERM FINANCIAL STRATEGY 2022/23 - 2024/25**

Cabinet received a report on the Medium Term Financial Strategy 2022/23 – 2024/25.

Proposed by Councillor James Leppard (seconded by Councillor Simon Carter) it was:

RESOLVED that it was recommended to Full Council that:

- A** The Medium Term Financial Strategy for 2022/23 to 2024/25 (attached as appendix B to the report) is adopted.
- B** The planned Council Tax (HDC element) 0 percent increase for 2022/23 as set out in the Medium Term Financial Plan be approved.
- C** That the proposals regarding the Council's Reserves as set out in paragraphs 5(c) and 22 - 35 of the report are agreed resulting in the release of £1,355,000 from reserves in 2022/23 to provide £993,000 funding for the proposed efficiency dividend set out in

the General fund budget report elsewhere on the Cabinet agenda and to create a new Estates Renewal Fund of £363,000.

- D** That the New Homes Bonus for 2022/23 totalling £1.165 million, is applied to part fund the efficiency dividend (£830,000) and to also increase the Budget Resilience Reserve (£335,000) which in turn will be applied to support the proposals relating to 0 percent council tax increases (HDC element) in 2023/24 and 2024/25.
- E** That subject to recommendations C and D being approved an efficiency dividend of £50 per eligible property be approved as a one off arrangement for the 2022/23 financial year.
- F** That in respect of the Harlow Council element, the MTFS includes plans for a 0 percent council tax increases in 2023/24 and 2024/25.

113. **GENERAL FUND BUDGET 2022/23**

Cabinet received a report on the General Fund 2022/23.

Proposed by Councillor James Leppard (seconded by Councillor Simon Carter) it was:

RESOLVED that Cabinet recommended to Full Council that:

- A** The General Fund estimates for 2022/23, as set out in Appendix A to the report, are approved.
- B** The proposed transfers between the General Fund and Earmarked Reserves, referred to within the report and set out in Appendix C to the report, are approved.
- C** The proposed Fees and Charges, as set out in Appendix E to the report, are approved.
- D** The Pay Policy Statement, as set out in Appendix G to the report, is approved.
- E** The Council's Band D Council Tax for 2022/23 is set at £288.90 representing a reversal of the proposed 1.99 percent increase as set out in the 2021/2022 MTFS meaning that eligible households will pay £55.75 less than previously forecast in the 2021/22 MTFS.
- F** That the proposals set out in the report are approved allowing a £50 Efficiency Dividend be made to eligible households in 2022/23.

114. **HOUSING REVENUE ACCOUNT BUSINESS PLAN 2021-2051**

Cabinet received a report on the HRA Business Plan 2021-51.

Proposed by Councillor James Leppard (seconded by Councillor Simon Carter) it was:

RESOLVED that Cabinet recommended to Full Council that:

- A** The Housing Revenue Account (HRA) Business Plan, as set out in Appendix A to this report, is approved.
- B** Authority is delegated to the Director of Housing, in consultation with the Portfolio Holder for Housing, to make minor amendments to the Plan, if necessary, following consultation.

115. **HOUSING REVENUE ACCOUNT BUDGET 2022/23**

Cabinet received a report on the HRA Budget for 2022/23.

Proposed by Councillor James Leppard (seconded by Councillor Simon Carter) it was:

RESOLVED that it was recommended to Full Council to:

- A** Approve the Housing Revenue Account (HRA) estimates as set out in Appendix 1 to the report.
- B** Approve a working balance of £4.563 million for the HRA (set out in paragraph 26 of the report).
- C** Approve that tenant rents are increased by Consumer Price Index (CPI) plus 1 per cent (4.1 per cent) with effect from 4 April 2022. This equates to an average weekly rent of £97.49, an increase of £3.87 (set out in paragraph 3 of the report).
- D** Approve that the rents and personal charges for temporary accommodation are increased with effect from 4 April 2022 as set out in paragraph 4 of the report.
- E** Approve that garage rents within the 'retain and invest' category are increased by 5 per cent with effect from 1 April 2022. This equates to an average weekly rent of £11.76, an increase of £0.56. Also approve the proportionate increases for other garages, car ports and car spaces (set out in paragraph 5 of the report).
- F** Approve that tenant service charges are increased to recover full cost with effect from 4 April 2022 (see paragraphs 6 to 8 of the report and Appendix 2 attached to the report).

- G** Approve that other housing related support charges for sheltered accommodation are increased to recover full cost with effect from 4 April 2022 (see paragraphs 9 to 13 of the report and Appendix 2 attached to the report).
- H** Approve the tenant heating charges with effect from 4 April 2022. These equate to an average weekly heating charge of £10.96, an increase of £1.23. For tenants in sheltered accommodation, this equates to an average weekly charge of £6.75, an increase £1.68 (see paragraphs 14 to 16 of the report and Appendix 2 attached to the report).
- I** Approve that the leasehold service charges are increased with effect from 1 April 2022 to ensure that all leaseholder costs are recovered (see paragraphs 17 to 21 of the report and Appendix 2 attached to the report).
- J** Approve that all other tenant charges are increased with effect from 4 April 2022 in order to recover cost (see Appendix 2 attached to the report).
- K** Approve that Harlow's Rent Policy is reviewed during 2022/23 with a view to moving towards the National Social Housing Rents Standard (2019) for when properties become empty and for types of rent to be charged on newly acquired or newly built properties (see paragraphs 42 to 44 of the report).
- L** Approve the options for tackling homelessness and prevention as outlined in paragraphs 45 to 48 of the report.

116. **CAPITAL AND TREASURY REPORT 2022**

Cabinet received the Capital and Treasury Report 2022-23.

Proposed by Councillor James Leppard (seconded by Councillor Simon Carter) it was:

RESOLVED that the Cabinet recommended to Full Council that:

- A** The following Capital and Treasury Reports be approved:
 - i) The Capital Strategy Report (attached as Appendix A to the report).
 - ii) The Investment Strategy Report 2022/23 (attached as Appendix D to the report).
 - iii) The Minimum Revenue Provision Statement 2022/23 (attached as Appendix E to the report).

- B** The proposed revised Treasury Management Strategy Statement 2022/23 (attached as Appendix C to the report) be approved for implementation with effect from 1 April 2022.

117. **CAPITAL PROGRAMMES 2021/22 - 2023/24**

Cabinet received a report on the Capital Programmes 2021-22 to 2023/24.

Proposed by Councillor James Leppard (seconded by Councillor Simon Carter) it was:

RESOLVED that Cabinet recommended to Full Council to:

- A** Approve the 2022/23 Housing Capital Programme (HCP) totalling £30.169 million as set out in Appendix 1 to the report.
- B** Approve of the inclusion in the Housing Capital Programme of an additional £25.939 million over 6 years for a Housing “Catch up Stock Need” as set out in Table 2 of the report.
- C** Approve the updated New Build programme as set out in Table 3 in the report, noting the removal of £155,000 expenditure incurred for both the Stackfield and Brenthall Towers schemes which are not proceeding.
- D** Approve the 2022/23 Non Housing Capital Programme totalling £18.603 million (attached as Appendix 2 to the report), noting the additional £2.19 million investment in response to Business Cases received as detailed in Table 11 of the report.

118. **TREASURY MANAGEMENT STRATEGY STATEMENT 2021/22: MID-YEAR REVIEW**

Cabinet received a report on the Treasury Strategy Statement 2021/22: Mid-Year Review:

Proposed by Councillor James Leppard (seconded by Councillor Simon Carter) it was:

RESOLVED that:

- A** The Mid-Year Review of the Treasury Management Strategy, attached as Appendix A to the report, be noted and referred to Council for consideration.

119. **HGGT - PROPOSED FUTURE GOVERNANCE ARRANGEMENTS**

Cabinet received a report on proposed future governance arrangements for Harlow and Gilston Garden Town.

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

RESOLVED that:

- A** Cabinet agreed 'in principle' to explore the creation of a Harlow and Gilston Garden Town Joint Committee, consisting of representation by all five Partner Councils.
- B** The details of the constitution, priorities and operating model of the proposed Joint Committee will return to Cabinet for further consideration.

120. **APPROVAL OF LONDON ROAD NORTH LDO AMENDMENTS**

Cabinet received a report on the adoption of amendments to the London Road North LDO.

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

RESOLVED that:

- A** Cabinet noted the responses received to the consultation on the draft updated LDO, and how they were taken into consideration in finalising the updated LDO.
- B** Cabinet adopted the updated LDO (thereby revoking the existing LDO).
- C** Subject to recommendation B, authority be delegated to the Director of Strategic Growth and Regeneration, in consultation with the Portfolio Holder for Regeneration, to make minor or inconsequential amendments to the Order as may be required following adoption.

121. **AWARD OF FRAMEWORK AGREEMENT - ON-LINE LAW LIBRARY SERVICES**

Cabinet received a report to award a framework agreement for on-line law library services.

Proposed by Councillor Alastair Gunn (seconded by Councillor Joel Charles) it was:

RESOLVED that:

A A Framework Agreement is entered into with to Supplier A for the provision of on line legal library services and hard print encyclopaedias.

B Officers provide processes to support ease of access to the framework and implement procedures to check and report on use and value.

122. **ENERGY PROCUREMENT FRAMEWORK RENEWAL**

Cabinet received a report to renew the energy procurement framework.

Proposed by Councillor Alastair Gunn (seconded by Councillor Simon Carter) it was:

A Cabinet agreed to renew the framework arrangement with Inspired Energy for the procurement of gas and electricity via the Procurement for Housing framework from April 2023 to March 2026, with an option to extend to March 2028.

B The Council entered into a long term supply agreement for gas and electricity from 1 April 2023 to 31 March 2026, subject to compliance with Section 20 of the Landlord and Tenant Act 1985.

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

None.

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

RESOLVED that the minutes of the following meetings are noted.

a) Minutes of meeting Tuesday, 28 September 2021 of Shareholder Sub Committee

b) Minutes of meeting Thursday, 7 October 2021 of Cabinet Policy Development Working Group

c) Minutes of meeting Wednesday, 13 October 2021 of Safety Committee

d) Minutes of meeting Thursday, 18 November 2021 of Shareholder Sub Committee

e) Minutes of meeting Thursday, 25 November 2021 of Cabinet Policy Development Working Group

125. **MATTERS OF URGENT BUSINESS**

The Leader said that he had been notified of an urgent item. The item was urgent as the bid mentioned in the report was required to be submitted before 3pm on Friday 28 January 2022.

Councillor Dan Swords (seconded by Councillor Michael Hardware) proposed that the item was considered in private session on the grounds that it was likely to involve the disclosure of exempt information as specified under Paragraph 3 of Part One of Schedule 12A of the Local Government Act 1972.

Members of the public and press left the meeting at 8.45pm, as did Councillor Mike Danvers.

With the consent of the Cabinet, the Leader adjourned the meeting from 8.45 pm to 9.00 pm

The Cabinet considered a report on the acquisition of land at Parnall Road. The report sought approval to submit a bid of up to the figure set out in the report in order to acquire the land.

The Chair of the Scrutiny Committee (Councillor Tony Edwards) confirmed that he agreed the call in period could be waived as required by The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. This was on the basis that the bid for the land had to be submitted by 3pm on Friday 28 January 2022. As required by the Constitution he also agreed that the requirement to give 28 days' notice of the intention to take the decision be waived.

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

RESOLVED that:

- A** Cabinet agrees that Harlow Council seeks to acquire the land at Parnall Road, as set out in this report, on an unconditional basis for a sum no higher than the maximum figure as detailed in the report.
- B** Authority is delegated to the Director of Strategic Growth and Regeneration and Director of Finance in consultation with the Portfolio Holder for Regeneration to submit the bid and confirm and finalise the purchase of the Parnall Road site should the Council's tender bid be accepted by the Vendor.

LEADER OF THE COUNCIL

Cabinet – 27 January 2022

Questions from the Public

1 Mick Patrick to Councillor Simon Carter (Portfolio Holder for Housing):

I researched on Harlow's Council website the Housing needs test on delivering Harlow's Housing need only shows up to 2018.

It showed over a 3 year period that to 2018 that 1008 homes were needed 846 were built, showing an 84% delivery on homes.

I researched the national government data and found that the 2020/21 statistics show Harlow had 3661 applicants on its housing need register.

It is clear that Harlow like any other council are not anywhere close to supplying its local housing need. How are these statistics remotely accurate?

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

The Government requires each Local Planning Authority to provide information known as the Housing Delivery Test to ensure that sufficient homes are built to meet the relevant Authority's housing need. The housing need that this is tested against is known as the "Standard Method". It is important to note that whilst a Standard Method comprises many elements including projected household growth and affordability it does not, however, measure an assessment against the Council's Housing Register.

For the years quoted (2015 to 2018) the Council did not meet the target set by the Government's Housing Delivery Test. As such, Harlow was required to produce a Housing Delivery Action Plan and ensure that in the following 5 years the number of homes delivered were 20% above those required by the Council.

In the years since 2018, the number of homes completed in Harlow has met the Government target set by the "Standard Method". Therefore a new Action Plan is not required. The Council has very recently received the results of the latest Housing Delivery Test which shows that Harlow provided 208% of its requirement, and consequently will not be sanctioned.

Turning to the future, the number of homes required by the Council has been set by the adoption of the Harlow Local Development Plan at 9,200 dwellings for the period 2011 - 2033. This target is above that based on the objectively assessed housing need which is 7,400 dwellings. The Council is therefore expecting to meet the required housing delivery over the next 5 years.

Supplementary question from Mick Patrick:

2012 Council rent settlement backlog of repairs. Harlow's debt was over £300m. There are calls to revisit this settlement. Can you tell me owing to a 1 percent cut in rental income over four years. Is Harlow's rent income less than predicted over the last 10 years?

Supplementary reply from Councillor Simon Carter (Portfolio Holder for Housing):

This is a technical question and I will arrange for a response to be sent to you.

2 Nicholas Taylor to Councillor Nicky Purse (Portfolio Holder for Environment):

On 1 May 2019 the then Leader of the Council had asked residents for suggestions as to where more off street parking could be constructed within housing estates. He was asked at Full Council on 28 January 2021 about the progress being made to create these spaces, he responded by saying that six sites had been given priority, these being 12 spaces at Shawbridge, 15 spaces at Wharley Hook, 6 spaces at Pear Tree Mead, 15 Spaces at Spinning Wheel Mead, an unspecified number at Bishopsfield and subject to Planning Permission 8 spaces between Five Acres and Barn Mead. Other sites would be subject to a robust assessment and it was hoped to complete the sites being given priority in 2021/2022.

Can you tell me how many of the sites identified as long ago as 2019 have been completed and what progress has been made in carrying out the robust assessment of other sites?

Reply from Councillor Nicky Purse (Portfolio Holder for Environment):

The parking schemes that were identified in 2019 are progressing and are due to conclude by 31 March 2022.

We are committed to delivering long term parking solutions in as many estates as possible and we will be making announcements and consulting on those proposals in due course.

Supplementary question from Nicholas Taylor:

Will all the sites be built by 31 March 2022?

Supplementary reply from Councillor Nicky Purse (Portfolio Holder for Environment):

I will arrange for a written response to be sent to you.

3 Nicholas Taylor to Councillor Russell Perrin (Leader of the Council):

At the Cabinet meeting held on 27 February 2020 the then Leader of the Council was asked about the future of Occasio House. He responded by saying that the Council was in discussion with the building's owner but for commercial reasons was unable to say any more. Nearly two years have elapsed since then. Can you tell me what progress if any has been made to get this property back into use?

Reply from Councillor Russell Perrin (Leader of the Council):

I can confirm that Harlow Council is currently in discussions with the owners of Occasio House about the purchase of the site by the Council to enable its re-development. These discussions are ongoing and I am unable to say more at the moment but I do expect this to have been brought to a conclusion by the end of April.

4 Alan Leverett to Councillor Alastair Gunn (Portfolio Holder for Governance):

I was interested to see from the local newspaper recently that Epping Forest DC intend to build a multi storey car park on its car park just off the High Street in Epping, which not only will see a big increase in the number of parking spaces but will also include 50 electric car charging points. This work is being done to encourage more visitors to Epping. Harlow Councils present programme of getting a handful of electric charging points installed in places other than in the town centre will do nothing to attract more visitors to Harlow Town Centre.

What priority will the Council give within its three year Strategy to increase the number of charging points in the Town Centre and across the town and has the Council set a target for the number of spaces that will be provided during this period?

Reply from Councillor Alastair Gunn (Portfolio Holder for Governance):

The Council recognises the importance of charging facilities for electric vehicles and while plug-in-hybrid, battery electric, range-extended electric, or fuel cell electric cars currently comprise some 3.3 % only of the fleet nationally, with pure electric vehicles being a smaller proportion, it is aware of the forthcoming prohibition of sales of internal combustion-engined cars in 2030 and expects the market to react to that and the proportion of electric vehicles in the fleet to rise quickly as a result.

This understanding will be reflected in the Council's forthcoming overarching Climate Change Strategy and is already reflected in a range of recently adopted planning

policies. Furthermore, the Council is seeking to establish a town wide EV charge point policy, which an officer working group will develop under the oversight of a cross-party member steering group.

Regarding provision for town centre users the Council's position may contrast with that of other authorities who may directly control town centre parking provision and have the opportunity to make provision during redevelopment.

At present, parking provision in Harlow's town centre is largely privately owned meaning that, historically, the Council has had limited means of directly influencing provision. However it has engaged with owners regarding their plans, and there has been positive reaction in some quarters. The Council looks forward to learning about more specific proposals in the near future. There will of course be very substantial development opportunities arising in the forthcoming regeneration of the town centre and naturally the Council will apply its policy to ensure that new developments have appropriate provision for electric vehicle parking.

The Council will also be contributing to shifting the emphasis away from personal motorised transport through its work with HGGT on Active Transport Corridors which will see a massive improvement in active transport infrastructure and of public transport. This includes plans to redevelop Harlow's unique cycle track network.

The Council owns a number of car parks that serve satellite shopping centres rather than the town centre, as well as the Green Flag awarded Town Park, and has approved plans to begin to install charging points in these areas. The Council will be keeping the position under review and recognises that there will be a growing need for electric vehicle charging points in the years ahead.

Supplementary question from Alan Leverett:

Is the Council going to free, or even reasonable fees, and will they include fast charging?

Supplementary reply from Councillor Alastair Gunn (Portfolio Holder for Environment):

The question is premature, but the provision of charging points was identified as part of the Corporate Strategy. A cross party member steering group is meeting next week.

5 John Wright to Councillor Nicky Purse (Portfolio Holder for Environment):

As a resident of Waterhouse Moor I have become increasingly aware of the problems arising from the dropping off and collection of pupils from St Marks and

William Martin Schools. The increase in parental car driving to and from school has meant that Waterhouse Moor, in common with other residential areas near to schools is now experiencing twice daily irresponsible parking issues (parking on pavements and across cycle paths).

The Parking Partnership proposals will no doubt solve the problems being experienced outside both schools but I am afraid it will only move the problem to other residential areas nearby. The re-opening of the car park opposite William Martin will help to reduce the problem there and shines as a good example of what could be done at St Marks.

I would ask why Harlow Council have not considered a more permanent solution, that is to allow the green wedge area of land opposite St Marks School to be used as a dropping off and collection point between 08.00-09.00 hrs and 15.00-16.00hrs? The provision of a lockable gate would enable the school to provide access to this safe area only at the prescribed times, to be kept locked at all other times to prevent illicit parking/use.

Reply from Councillor Nicky Purse (Portfolio Holder for Environment):

We fully understand the challenges with parking across the town and particularly around schools and the knock on impact on student safety around schools.

The land that Mr Wright has identified is a designated Green Wedge under Policy 5 of the 2020 Local Plan and therefore this land cannot be used for any such solution.

It is not the case that Harlow Council is deciding not to change the use of this land, it is Policy 5 of the legally binding 2020 Local Plan.

I understand this is not the response that Mr Wright will be looking for, but we are unable to change this policy and it would not allow for such a parking area.

Supplementary question from John Wright:

Can this site be looked at as part of the Local Plan review process?

Supplementary reply from Councillor Nicky Purse (Portfolio Holder for Environment):

Yes.