

# Decision Notice (30 November 2023)

Published 1 December 2023

This document lists the decisions taken by Cabinet at a meeting held on Thursday, 30 November 2023. The list covers key and non-key decisions. A decision may be implemented with immediate effect, unless it is eligible for call-in as identified below, whereupon a decision will not be implemented until five working days have elapsed.

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
A11	<p><u>Corporate Plan</u></p> <p>Key decision? Yes</p> <p><b>RESOLVED</b> that Cabinet recommended to Full Council that:</p> <p><b>A</b> The Corporate Plan 2024 - 2028, attached as Appendix A to the report, is adopted.</p> <p><b>B</b> The Chief Executive, in consultation with the Leader of the Council, prepare a delivery programme for the duration of the plan to be agreed by Cabinet annually.</p> <p><b>C</b> The Chief Executive, in consultation with the Leader of the Council, prepare a delivery</p>	<p>A robust Corporate Plan is a central component of the council's business planning and is underpinned by the council's financial planning set out in the new Medium Term Financial Plan (MTFP) 2024-28. The Plan provides the council with a framework for decision making and allocation of resources. Approval of the Corporate Plan is reserved to Full Council.</p>	<p>Considerations of other options do not apply; the agreement of policy framework for the council is laid out in the Council's constitution and is a matter for determination by Full Council.</p>	None	No

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	<p>programme for the duration of the plan to be agreed by Cabinet annually.</p> <p><b>D</b> Delegation be given to the Chief Executive, in consultation with the Leader of the Council, to make minor and inconsequential changes to the Plan.</p>				
<p><b>A12</b></p>	<p><u>Medium Term Financial Plan Update</u></p> <p>Key decision? Yes</p> <p><b>RESOLVED</b> that Cabinet recommended to Full Council that The Medium-Term Financial Plan 2024 - 2028, attached as Appendix A to the report, be approved.</p>	<p>To enable Cabinet to consider the current factors influencing the four-year Medium Term Financial Plan and agree the financial strategy for the period 2024/25 to 2027/28 in support of the overall financial plans of the council over that period and the delivery of its priorities.</p>	<p>Considerations of other options do not apply; the agreement of the Budget policy framework for the council is laid out in the council's constitution and is a matter for determination by Full</p>	<p>None</p>	<p>No</p>

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			Council.		
A13	<p><u>Financial Performance Report, Quarter 2 2023/24</u></p> <p>Key decision? No</p> <p><b>RESOLVED</b> that Cabinet:</p> <p><b>A</b> Noted the forecast outturn position set out within the report in respect of the General Fund as at the end of quarter 2 (April – September) of 2023/24 with a projected favourable variance of £145,000.</p> <p><b>B</b> Noted the forecast outturn position set out within the report in respect of the Housing Revenue Account as at the end of quarter 2 (April – September) of 2023/24 with a projected adverse variance of £543,000.</p> <p><b>C</b> Noted the forecast outturn position set out within the report in respect of the Non-</p>	<p>To ensure Cabinet reviews financial performance against the approved 2023/24 budgets for General Fund, Housing Revenue Account and Capital Programmes and to ensure corporate priorities are fully funded to enable a timely delivery.</p>	<p>This report notes the current financial position of Quarter 2 (April – September). It also asks to approve the current Capital Programme position, which includes a number of virements and reprofiling into 2024/25.</p> <p>Cabinet could consider not to approve the recommendations E, F &amp; G set out above. The current budget of the</p>	None	No

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	<p>Housing Capital Programme as at the end of quarter 2 (April – September) of 2023/24 with a projected adverse variance of £0.383 million.</p> <p><b>D</b> Noted the forecast outturn position set out within the report in respect of the Housing Capital Programme as at the end of quarter 2 (April – September) of 2023/24 with a projected favourable variance of £8.994 million.</p> <p><b>E</b> Approved the Period 6 reprofiling into 2024/25 within the Housing and Non-Housing Capital Programmes included within Appendices C and D to the report.</p> <p><b>F</b> Recommends to Full Council the approval of the Budget allocations identified for 2023/24 within the Housing and Non-Housing Capital Programmes included within Appendices C and D to the</p>		<p>Housing and Non-Housing Capital Programmes would not be updated to reflect the latest known position and would also mean priorities are not fully funded. Members would have another opportunity to review the Capital Programme at the Quarter 3 (April – December) in March 2024 and also during the budget setting process to be reported to</p>		

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	<p>report.</p> <p><b>G</b> Approved the virements for the Non-Housing and Housing Capital Programme identified within the tables included in paragraphs 19 and 27 of the report.</p>		Cabinet in February 2024.		
A14	<p><u>North Essex Councils</u></p> <p>Key decision? Yes</p> <p><b>RESOLVED</b> that Cabinet agreed:</p> <p><b>A</b> That the council will work in partnership with other councils in North Essex under the banner of North Essex Councils (NEC).</p> <p><b>B</b> To jointly resource a small team to collectively represent North Essex Councils, establish a detailed terms of reference for NEC and develop a clear programme of work.</p>	<p>To update Cabinet on progress since agreeing the North Essex Authorities' (NEA) Memorandum of Understanding in December 2022, and seek approval to establish the North Essex Councils partnership and commit resources to enable its objectives to be delivered.</p>	<p>Harlow Council could opt not to participate in the North Essex Councils structure and thereby not contribute to the funding of this. Whilst this would result in a modest financial saving, the Council would lose the ability to participate</p>	None	Yes

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	<p><b>C</b> That the Leader of the Council and the Chief Executive continue to represent the council on the North Essex Councils Partnership with the appropriate delegation to act in line with the principles outlined in the report.</p> <p><b>D</b> That the Leader of the Council and the Chief Executive report progress of the workstreams to Cabinet at least once per financial year.</p>		<p>in the opportunities presented by the potential for shared services as well as those created by the devolution agenda. All other authorities are committed to participating in the North Essex structure.</p>		
<p><b>A15</b></p>	<p><u>Major Housing Works – Business Process Review</u></p> <p>Key decision? No</p> <p><b>RESOLVED</b> that Cabinet noted the improvements and enhancements made to the Major Works business process.</p>	<p>The review of business processes set out to strengthen the core principles of engagement and support for residents, aligned to the statutory requirements of the Section 20 of the Landlord and Tenant Act 1985 (As amended by the Commonhold and Leasehold Reform Act 2002.) The new procedure ensures</p>	<p>None as the item is for noting.</p>	<p>None</p>	<p>No</p>

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		<p>that business processes associated with consultation for major works projects are robust and that appropriate financial support is available for leaseholders. The new process is aligned with government legislation which enables landlords to carry out repairs/replacement or maintenance of its buildings to ensure they are kept to a reasonable standard and to recharge those works to Leaseholders as per the lease agreement.</p>			
<p><b>A16</b></p>	<p><u>Freehold Disposal of Osler House</u></p> <p>Key decision? Yes</p> <p><b>RESOLVED</b> that Cabinet:</p> <p><b>A</b> Declared Osler House as surplus to requirements.</p> <p><b>B</b> Approved plans to dispose of the Council's freehold interest</p>	<p><b>A</b> To generate a capital receipt to help fund the Council's Capital Programme and reduce the need for borrowing.</p> <p><b>B</b> To eliminate future revenue and capital cost liabilities associated with holding the property, including capital refurbishment costs,</p>	<p>It is proposed that the option of retaining the property and refurbishing it to re-let be dismissed, due to capital investment requirements.</p>	<p>None</p>	<p>Yes</p>

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	<p>in Osler House via private treaty to Mind in West Essex.</p> <p><b>C</b> Delegated authority to the Assistant Director – Regeneration, in consultation with the Portfolio Holder for Finance and Governance, to negotiate and finalise the terms of the disposal and (subject to being satisfied that it would be for the best consideration reasonably obtainable) thereafter procure the legal completion of the sale documentation.</p>	<p>business rates, insurance, security, utility charges and maintenance.</p> <p><b>C</b> To, at no cost to the Council, facilitate the refurbishment and beneficial re-use of the property.</p>	<p>It is also proposed that the option of openly marketing the property for sale be dismissed, for the reasons set out in the report.</p>		
<p><b>A17</b></p>	<p><u>Private Housing Assistance Policy (DFGs)</u></p> <p>Key decision? No</p> <p><b>RESOLVED</b> that Cabinet:</p> <p><b>A</b> Approved the revised Housing Assistance Policy attached as Appendix A to the report.</p>	<p>Adopting the proposed policy will give the council authority to provide greater flexibility to help with home adaptations that is not currently available through statutory Disabled Facilities Grants (DFGs) and existing policy.</p>	<p>No other options have been considered other than Statutory Legislation/Guidance.</p>	<p>None</p>	<p>Yes</p>



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	<p><b>B</b> Delegated authority to the appropriate Assistant Director, in consultation with the appropriate Portfolio Holder, to make such minor or inconsequential amendments to the policy and to approve procedures for giving it effect as may be necessary from time to time.</p>				
<p><b>A18</b></p>	<p><u>Questions Procedures</u></p> <p>Key decision? No</p> <p><b>RESOLVED</b> that Cabinet recommended to Full Council that:</p> <p><b>A</b> A word limit of 200 for each question and 300 words for each answer (except where the complexity of the questions requires a longer response) be implemented.</p> <p><b>B</b> The deadline for submitting questions be changed to 12pm three clear working days before</p>	<p>To improve the quality of answers being provided and increase the efficiency of council business at council meetings whilst protecting resident and councillor engagement and scrutiny of the council.</p>	<p>Make no changes. To do so would risk:</p> <ul style="list-style-type: none"> <li>• Not addressing the increasing workload for dealing with questions, which are submitted close to the meeting.</li> <li>• Not</li> </ul>	<p>None</p>	<p>No</p>

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	<p>the meeting.</p> <p><b>C</b> Questions from Councillors be taken as read, unless it is specifically requested that they are read out.</p> <p><b>D</b> A new back-end process for dealing with questions is introduced.</p> <p><b>E</b> The Constitution is amended to reflect A-D above.</p>		<p>addressing the inefficiency of council meetings.</p> <ul style="list-style-type: none"> <li>• Not improving answers to written questions from councillors and residents.</li> </ul> <p>To apply a specified limit on the number of questions in place of a time limit to improve meeting efficiency. Whilst this would be easier to enforce, it would unduly</p>		

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			<p>restrict the opportunity to ask questions.</p> <p>To introduce a new standard of taking substantive questions 'as read' for both residents and councillors. Whilst this would improve efficiency and not detract from the answers given, it would not allow residents to verbally ask their substantive questions after having submitted the question and attended the meeting.</p>		

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<p><b>A19</b></p>	<p><u>Referral from Licensing Committee - Hackney Carriage Tariffs</u></p> <p>Key decision? No</p> <p><b>RESOLVED</b> that:</p> <p><b>A</b> The Hackney Carriage Tariff Schedule, as set out in Appendices B and D to the original report, be adopted.</p> <p><b>B</b> The Interim Assistant Director Environment be authorised to take the necessary steps as stated in the report to implement the tariff changes with effect from 22 December 2023.</p>	<p><b>A</b> Section 65 of the Local Government (Miscellaneous Provision) Act 1976 gives local authorities power to determine maximum rates and fares charged by Hackney Carriage.</p> <p><b>B</b> Representatives of the Hackney Carriage trade recognised by the Council for consultation purposes have proposed increases to the Hackney Carriage Tariffs.</p> <p><b>C</b> Officers collated an Equality Impact assessment, Benchmarking Information, figures from previous tariffs and reasoning from the trade to move the evening tariff to the earlier start time of 8pm.</p>	<p>No other options were considered.</p>	<p>None</p>	<p>Yes</p>