

Decision Notice (15 February 2024)

Published 19 February 2024

This document lists the decisions taken by Cabinet at a meeting held on Thursday, 15 February 2024. The list covers key and non-key decisions. A decision may be implemented with immediate effect, unless it is eligible for call-in as identified below, whereupon a decision will not be implemented until five working days have elapsed.

Agenda Item No	Decision	Reasons for Decision	Any Options Rejected?	Declared Conflict of Interest	Eligible for call in?
<p>A11</p>	<p><u>Medium Term Financial Plan 2024/25 - 2026/27 and General Fund Budget 2024/25</u></p> <p>Key decision? Yes</p> <p>RESOLVED that Cabinet recommended to Full Council that:</p> <p>A The Medium-Term Financial Plan 2024 - 2028, and the General Fund Budget for 2024/25 attached as Appendix A to the report, is approved.</p> <p>B The Council's Band D Council Tax for 2024/25 is set at £288.90 representing a 0% increase as set out in the 2024/25 Medium Term Financial Plan.</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>To agree a budget proposal for the 2024/25 financial year (Including pay policy statement) which supports the delivery of the key themes and objectives set out within the new Corporate Plan.</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 Council.</p>	<p>None</p>	<p>No</p>

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	<p>C The General Fund estimates for 2024/25, as set out in Appendix B to the report, are approved.</p> <p>D The proposed transfers between the General Fund and Earmarked Reserves, referred to within the report and set out in Appendix A to the report, are approved.</p> <p>E The proposed Fees and Charges, as set out in Appendix C to the report, are approved.</p> <p>F The Pay Policy Statement, as set out in Appendix E to the report, is approved.</p>				
A12	<p><u>Housing Revenue Account Budget 2024/25 and Housing Revenue Account Business Plan 2023-2053</u></p> <p>Key decision? Yes</p>	<p>The Housing Revenue Account (HRA) reflects the statutory requirement under Section 74 of the Local Government & Housing Act 1989 to account separately for local authority</p>	<p>Considerations of other options do not apply; the agreement of the Housing Revenue Account</p>	<p>None</p>	<p>No</p>

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	<p>RESOLVED that Cabinet recommended to Full Council to:</p> <p>A Approve the Housing Revenue Account (HRA) estimates as set out in Appendix A to the report.</p> <p>B Approve that tenant rents are increased by 7.7 percent with effect from 1 April 2024. This equates to an average weekly rent of £112.20 an increase of £8.02 as set out in paragraph 2 of the report.</p> <p>C Approve that the rents and personal charges for temporary accommodation are increased with effect from 1 April 2024 as set out in paragraph 3 of the report.</p> <p>D Approve that garage rents within the 'retain and invest' category are increased by 5 percent with effect from 1 April 2024. This equates to an average weekly rent of £12.97,</p>	<p>housing services. It is a ring-fenced account containing the costs of managing the council's housing stock which is offset by tenants' rents, tenants' and leaseholders' service charges and other contributions. The council has a statutory responsibility to set a balanced HRA budget and avoid any deficits.</p>	<p>estimates is laid out in the council's constitution and is a matter for determination by Full Council.</p>		

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	<p>an increase of £0.62. Also approve the proportionate increases for other garages, car ports and car spaces as set out in paragraph 4 of the report.</p> <p>E Approve that tenant service charges are increased to recover full cost with effect from 1 April 2024 (see paragraphs 5 to 7 of the report and Appendix C attached to the report).</p> <p>F Approve that the leasehold service charges are increased with effect from 1 April 2024 to ensure that all leaseholder costs are recovered (see paragraphs 8 to 11 of the report and Appendix C attached to the report).</p> <p>G Approve that all other tenant charges are increased with effect from 1 April 2024 in order to recover cost (see Appendix C attached to the report).</p>				

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	<p>H Approve the Housing Revenue Account Business Plan, as set out in Appendix B to the report.</p>				
<p>A13</p>	<p><u>Capital and Treasury Budget Report 2024-25 to 2027-28</u></p> <p>Key decision? Yes</p> <p>RESOLVED that Cabinet recommended to Full Council to:</p> <p>A Approve the 2024/25 Housing Capital Programme (HCP) totalling £60.409 million as set out in Appendix A to the report.</p> <p>B Approve the 2024/25 Non-Housing Capital Programme totalling £32.782 million as set out in Appendix A to the report.</p> <p>C Approve the following Capital and Treasury Reports:</p> <p style="padding-left: 20px;">i) The Capital Strategy Report (Appendix B to</p>	<p>Approval of the capital programme (attached as Appendix A) is a responsibility reserved for the Full Council and reflects the corporate priorities and health and safety obligations. This is necessary because the approved programme gives authority for the procurement and resourcing of individual projects so that corporate plan can be delivered.</p> <p>The Capital Strategy Report 2024/25 (attached as Appendix B to the report) covers the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code 2021, including the prudential indicators. The report should be approved by</p>	<p>Considerations of other options do not apply; the agreement of the Capital Programme & Treasury Management is laid out in the council's constitution and is a matter for determination by Full Council.</p>	<p>None</p>	<p>No</p>

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	<p>the report);</p> <p>ii) The Treasury Management Strategy Statement 2023/24 (Appendix C to the report);</p> <p>iii) The Investment Strategy Report 2023/24 (Appendix D to the report); and</p> <p>iv) The MRP Statement 2023/24 (Appendix E to the report).</p>	<p>Full Council before the start of the new financial year.</p> <p>The Treasury Management Strategy Statement 2023/24 (Appendix C) covers the requirements of the CIPFA Treasury Management Code of Practice 2021, including the treasury management indicators.</p> <p>The Investment Strategy Report 2023/24 (Appendix D) covers the requirements of the Department for Levelling Up, Housing and Communities (DLUHC) (formerly that Ministry of Housing, Communities and Local Government or MHCLG) Investment Guidance 2018, including the investment indicators.</p>			
A14	<p><u>Allocations Policy</u></p> <p>Key decision? No</p>	<p>In line with the 2023/24 corporate priorities, officers have conducted a review of the Housing Allocations Scheme (Allocations Policy), including carrying out full</p>	<p>Do not adopt or only adopt some of the proposed changes to the</p>	<p>None</p>	<p>Yes</p>

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	<p>RESOLVED that:</p> <p>A Cabinet approved the following changes:</p> <ul style="list-style-type: none"> i) The Policy removes Band 4 and moves to a three band system as set out in paragraphs 7-9 of the report. ii) The lower age limit be increased to 18 years as set out in paragraphs 10-11 of the report. iii) The local connection requirement be increased to 7 years, the removal of the employment criteria, and the introduction of a born and bred criteria as set out in paragraphs 12-20 of the report. iv) Stepped financial limits be introduced as set out in paragraphs 21-26 of the report. v) The criteria for armed 	<p>consultation with internal staff, internal and external stakeholders and the general public, resulting in a number of recommendations for changes to the council's Housing Allocations Scheme. A total of 298 responses to the consultation were received, including 9 responses from organisations. The proposed changes to the Policy that are set out in this report are a direct result of learned daily experience of the current Policy in use, a thorough desktop review, benchmarking and public consultation on emerging challenges and issues.</p>	<p>Housing Allocations Scheme. However, there would be a risk that the Policy would not align to the council's corporate priorities, legislation and best practice.</p>		

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	<p>forces be amended as set out in paragraphs 27-32 of the report.</p> <p>vi) The supported housing quotas be reviewed as set out in paragraphs 33-34 of the report.</p> <p>vii) Time limits for bidding be amended as set out in paragraphs 35-39 of the report.</p> <p>viii) The revised definition of accommodation for live in carers be amended as set out in paragraphs 40 and 41 of the report.</p> <p>ix) The process for managing refusals be amended as set out in paragraphs 42-45 of the report.</p> <p>x) Living in flats with children above ground floor be removed as an assessed housing need as set out in paragraphs 46-48 of the report.</p>				

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	<ul style="list-style-type: none"> <li data-bbox="369 384 808 584">xi) The definitions surrounding deliberately worsening circumstances be strengthened as set out in paragraphs 49-52 of the report. <li data-bbox="369 624 808 719">xii) The Tied Tenant category be removed as set out in paragraph 53 of the report. <li data-bbox="369 759 808 887">xiii) Homeless applicants be added to the banding scheme as set out in paragraph 54 of the report. <li data-bbox="369 927 808 1126">xiv) Applicants who wish to give up two social housing properties in Harlow for one be placed in Band 2 as set out in paragraphs 55-56 of the report. <p data-bbox="315 1166 808 1398">B The revised Allocation Policy be implemented with effect from 1 April 2024 for all new applicants joining the housing needs register, with a phased implementation between 1 April 2024 and 1 October 2024 for existing housing</p>				

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	<p>register applicants, aligned to the implementation of the new Allocation IT module.</p> <p>C Delegation be given to the Portfolio Holder for Housing to approve a revised Allocation Policy as a Portfolio Holder decision by 1 April 2024 in line with the decisions taken by the Cabinet.</p>				
A15	<p><u>Fire Safety Works 154-189 & 190-207 Sycamore Field</u></p> <p>Key decision? Yes</p> <p>RESOLVED that Cabinet approved:</p> <p>A The disposal of the buildings known as 154-189 & 190-207 Sycamore Field and the associated vehicle parking known as carports 154-163, 164-171 and 201-207 Sycamore Field and hardstandings 172-189 Sycamore Field due to fire</p>	<p>To satisfy the requirements of the legal notice served on the council by Essex County Fire and Rescue Service (ECFRS) that states the building in its current condition does not meet the expected fire safety standards which cannot be reasonably achieved by the council. The are only two options to meet the terms of the notice, which are for the works required to be completed or for the building to be vacated of all occupants. Should the council fail to empty the building it will be in breach of the notice and</p>	<p>No other options available as the council cannot be in breach of the ECFRS notice and cannot operate the building without it being insurable to a satisfactory level.</p>	None	Yes

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	<p>safety remediation requirements that cannot be achieved.</p> <p>B The commencement of decanting residents from these properties in line with the council's allocations policy.</p> <p>C The payment of home loss and disturbance payments as appropriate.</p> <p>D Commencement of negotiation with leaseholders for the repurchase of properties with approval to complete purchases delegated to the Director of Housing in consultation with the Assistant Director for Housing and Property.</p> <p>E The use of Compulsory Purchase Powers under Section 226 Town and Country Planning Act 1990 should this become necessary.</p>	<p>be subject to further enforcement action.</p> <p>Due to these buildings current certification, they cannot be insured. The council is required as a freeholder and landlord to hold valid and adequate buildings insurance, and this is a term of the tenancy and leasehold agreements. This places a vast financial liability on the council should there be an insurable event at the building.</p>			

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	<p>F Service of a demolition notice under Section 138B and Schedule 5A of the Housing Act 1985 which will confirm the council's intention to demolish the buildings and suspend the obligation on the council to complete right to buy applications on the two buildings in question.</p> <p>G The negotiation and settlement of any statutory compensation claims made by residents as a result of the service of the Initial Demolition Notice delegated as set out in recommendation D above.</p>				

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<p>A16</p>	<p><u>Local List/Non designated Heritage Assets</u></p> <p>Key decision? Yes</p> <p>RESOLVED that Cabinet adopted the updated local list attached as Appendix 4 to the report.</p>	<p>To allow the updated Local List to become a material consideration and, therefore, ensure greater protection for the assets on it.</p>	<p>Not adopting the updated Local List – this is not appropriate as the Council has a statutory duty to review heritage issues, and the current Local List is due to be updated.</p>	<p>None</p>	<p>Yes</p>