

Decision Notice (15 January 2024)

Published 17 January 2024

This document lists the decisions taken by Cabinet at a meeting held on Monday, 15 January 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?
A11	<p><u>Private Sector Housing Enforcement Policy</u></p> <p>Key decision? No</p> <p>RESOLVED that:</p> <p>A Cabinet approved The Private Rented Sector Housing Enforcement Policy as set out in Appendix A to the report. The results of the consultation on the proposed policy detailed in Appendix B to the report be noted.</p> <p>B The Private Sector Housing Enforcement Policy be adopted and implemented on 24 January 2024.</p>	<p>A The powers provided by the Housing and Planning Act 2016 and the Housing Act 2004 will enable the Authority to help improve the quality of private rented accommodation in Harlow and to act against landlords, letting agents and property managers who knowingly rent out unsafe and substandard accommodation.</p> <p>B There were four responses to the consultation, which show overall support for the use of civil penalties. Some negative responses were aimed at Harlow Council as</p>	No other options were considered other than Statutory Legislation and Guidance.	None	Yes

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		<p>a social landlord which is outside the scope of the Private Sector Housing Enforcement Policy and will be directed to the relevant department.</p>			
<p>A12</p>	<p><u>Health Impact Assessment SPD</u></p> <p>Key decision? No</p> <p>RESOLVED that Cabinet:</p> <p>A Noted the responses received to the consultation and agrees the consequential amendments made to the Health Impact Assessment (HIA) Supplementary Planning Document (SPD) (as set out in Appendix B to the report).</p> <p>B Formally adopted the SPD (as set out in Appendix A to the report) and delegates authority to the Interim Head of Planning and Building Control. in consultation with the relevant</p>	<p>A To enable the SPD to be formally adopted under Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended.)</p> <p>B To meet the legal requirements of developing and adopting an SPD.</p>	<p>Do not adopt the Supplementary Planning Document for Health Impact Assessments and rely on the Essex Design Guide to provide guidance. This would not provide further guidance on Harlow Local Plan Policy and would not bring all appropriate information</p>	<p>None</p>	<p>Yes</p>

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	Portfolio Holders, to make and agree any minor or inconsequential amendments to the HIA SPD arising from any matters discussed and agreed at Cabinet.		together.		
A13	<p><u>Local Council Tax Support Scheme Proposals</u></p> <p>Key decision? Yes</p> <p>RESOLVED that Cabinet:</p> <p>A Acknowledged the current position regarding the 2023/24 Local Council Tax Support Scheme and endorses continuing stability within the scheme for 2024/25 and recommends to Full Council that the current Local Council Tax Support Scheme remains unchanged for the 2024/25 financial year.</p> <p>B Recommended to Full Council that a Council Tax premium of</p>	<p>A In accordance with the Welfare Reform Act 2012, and the Local Government Finance Act 2012, councils are required to implement a Local Council Tax Support Scheme (LCTS) annually, and by 11 March each year at the latest for the forthcoming financial year.</p> <p>B In accordance with the Local Government Finance Act 1992, as amended by the Local Government Finance Act 2012 and The Levelling Up & Regeneration Act councils have discretion to vary the amount of council tax charged in respect to unoccupied properties in</p>	<p>No other options have been considered as the Council is legally required to implement a Local council Tax Support Scheme.</p> <p>The implementation of premiums is discretionary on the authority. As such, the Council could</p>	None	No

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	<p>100% is levied in respect of empty and substantially unfurnished properties 12 months after the property becomes vacant, with effect from 1 April 2024.</p> <p>C Recommended to Full Council that the application of a Council Tax premium of 100% is levied in respect of dwellings which are unoccupied but substantially furnished (second homes) with effect from 1st April 2025.</p> <p>D Recommended to Full Council that the proposed Empty Homes and Second Homes Policy 2024/25 be adopted, and that the Section 151 Officer is given delegated powers to implement the policy in regard to empty properties in line with the council's requirements and any guidance given by the Secretary of State or regulation.</p>	<p>certain prescribed circumstances.</p> <p>C In accordance with the Local Government Finance Act 1992, as amended by the Local Government Finance Act 2012 and The Levelling Up & Regeneration Act, councils have discretion to vary the amount of council tax charged in respect to unoccupied but furnished properties in certain prescribed circumstances.</p> <p>D Council Tax premiums for second homes will not take effect until 1 April 2025 at the earliest. However, it is essential that a decision is made by the council before 31 March 2024 to give the required one-year notice. Accordingly, it is recommended that the council's Section 151 Officer be given delegated authority to implement a policy in line</p>	<p>decide not to implement the proposed changes and policy.</p>		

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		with guidance and regulations once published.			
A14	<p><u>Treasury Management Strategy Statement 2023/24: Mid-Year Review</u></p> <p>Key decision? Yes</p> <p>RESOLVED that the Mid-Year Review of the Treasury Management Strategy, as set out in Appendix A to the report, be noted and referred to Full Council for consideration.</p>	Compliance with the CIPFA Treasury Management Code of Practice requires that Council is presented with a mid-year report on the Treasury Management Strategy Statement (TMSS).	This is a mid-year review of performance against the approved strategy. There are no other options other than to not present the report which would then result in non-compliance with the code of practice.	None	No
A15	<p><u>Debt Write Offs</u></p> <p>Key decision? Yes</p> <p>RESOLVED that:</p> <p>A Irrecoverable Council Tax amounting to £26,966.49 be written off.</p>	The Cabinet's approval is required to write off irrecoverable debts over £20,000.	There are no other options other than to write off these debts as all other options have been exhausted.	None	Yes

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	<p>B Irrecoverable Non-Domestic Rates amounting to £637,414.50 be written off.</p> <p>C Irrecoverable Sundry Debts amounting to £66,917.71 be written off.</p> <p>D Irrecoverable Housing Benefit overpayments amounting to £44,919.84 be written off.</p>		<p>Where a debtor has absconded and attempts to trace have failed, if the debtor is subsequently located, the debt is reinstated, and recovery action recommences.</p>		