

**MINUTES OF THE CABINET
HELD ON**

10 December 2015

7.30 - 8.40 pm

PRESENT

Cabinet Members

Councillor Jon Clempner, Leader of the Council

Councillor Emma Toal, Deputy Leader and Portfolio Holder for Youth & Community

Councillor Jean Clark, Portfolio Holder for Governance

Councillor Tony Durcan, Portfolio Holder for Regeneration & Enterprise

Councillor Mark Wilkinson, Portfolio Holder for Environment

Additional Attendees

Councillor Maggie Hulcoop

Councillor Danny Purton

Other Councillors

Councillor Andrew Johnson

Councillor Joel Charles

Councillor Sue Livings

Councillor Clive Souter

Councillor David Carter

Officers

Graham Branchett, Chief Operating Officer

Graeme Bloomer, Head of Place
Andrew Bramidge, Project Director - Enterprise Zone

Simon Freeman, Head of Finance

Brian Keane, Head of Governance

Andrew Murray, Head of Housing

Joel West, Governance Support Officer

56. **APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillors Mike Danvers, John Strachan and Rod Truan.

57. **DECLARATIONS OF INTEREST**

None.

58. **MINUTES**

RESOLVED that the minutes of the meeting held on 15 October 2015 are agreed as a correct record and signed by the Leader.

59. **MATTERS ARISING**

None.

60. **WRITTEN QUESTIONS FROM THE PUBLIC**

None.

61. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

62. **PETITIONS**

a) **Petition - Land South of Gilden Way**

Following the presentation of the petition by the petition organiser, Mr David Giess and response from Councillors in line with the Council's Constitution, it was noted that a full public consultation on the Harlow Local Plan would take place next year.

63. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

64. **RECENT DECISIONS TAKEN BY THE LEADER, DEPUTY OR PORTFOLIO HOLDER(S)**

None.

65. **GOVERNANCE AND STRUCTURE OF LOCAL AUTHORITY TRADING COMPANY**

The Cabinet received a report that proposed governance arrangements for the Local Authority Trading Company.

Councillor Jon Clempner, Leader of the Council, noted that he would ask relevant Group Leaders to make their nominations to the Parent Board and LATC Board in the next few days. He also advised that Councillors would receive regular updates on the action taken by the Chief Executive under delegated authority on the LATC creation.

Proposed by Councillor Jon Clempner (seconded by Councillor Tony Durcan) Cabinet:

RESOLVED that:

A A politically balanced Cabinet Shareholder Sub-Committee is created as set out in paragraph 6 with its terms of reference as set out in Appendix 1 of the report submitted.

B A LATC Board is created as set out in paragraph 8 of the report submitted.

- C** A politically balanced Parent Group Company Board is created as set out in paragraph 9 of the report submitted.
- D** Group Leaders to nominate their Councillor appointments, as set out in the report submitted, to the Shareholder Sub Committee and the LATC Board.
- E** Group Leaders to nominate their Councillor appointments, as set out in paragraph 9 of the report submitted, to the Parent Group Company Board.
- F** Delegated authority is granted to the Chief Executive, in consultation with the Leader of the Council to take all steps necessary to create the Parent Company and the LATC within a main parent company group structure, and for the delivery of the relevant services, with regular reports on progress communicated to Councillors.
- G** The main Parent Group Company be named HTS Group Limited with the LATC subsidiary named HTS (Property and Environment) Limited.

66. **JOINT FINANCE AND PERFORMANCE REPORT, QUARTER 2 2015/16**

The Cabinet received a report that reviewed performance against the Council's approved General Fund Budget and Corporate Plan for Quarter Two 2015/16.

Proposed by Councillor Jon Clempner (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that Cabinet:

- A** Acknowledges the projected outturn position for the second quarter (July – September) of 2015/16, set out in sections three and four of Appendix A and Appendix B of the report submitted, as follows:
 - (i) A total projected underspend of £382,000 representing 0.55 per cent of the gross General Fund Budget.
 - (ii) A favourable variation on controllable budgets of £585,000, representing 0.85 per cent of the gross General Fund Budget.
- B** RECOMMENDS to Full Council that the contributions to reserves set out in the Major Variations Table in Appendix A to the report submitted are made.
- C** Acknowledges that :
 - (i) The Council performed on target or above target for 40 out of 47 (85 per cent) of performance indicators.

- (ii) The Council's annual Staff Survey showed further improvements on the already good previous years' results, as shown in Appendix B of the report submitted.

67. **HOUSING REVENUE ACCOUNT BUDGET MONITORING QUARTER 2, 2015/16**

The Cabinet received a report that reviewed the Council's performance against its approved Housing Revenue Account for Quarter Two 2015/16.

Proposed by Councillor Jon Clempner (seconded by Councillor Jean Clark) it was:

RESOLVED that Cabinet:

- A** Acknowledges the projected outturn position set out in the report as at the end of the second quarter of 2015/16 as follows:
 - (i) A favourable variation on operational/controllable budgets of £790,000 representing 1.38% of the gross Housing Revenue Account (HRA) budget.
 - (ii) A total projected underspend of £2,861,000 representing 4.95% of the gross HRA budget.
- B** Notes the forecast balances at 31 March 2016, of £7,006,000 in respect of the Housing Revenue Account and nil in respect of the Major Repairs Reserve (as identified in Appendix C of the report submitted).

68. **CAPITAL PROGRAMMES QUARTER 2 FINANCE REPORT 2015/16**

The Cabinet received a report that reviewed the Council's performance against its approved Housing and Non-Housing Capital Programmes for Quarter Two 2015/16 and proposed carryovers for both and an additional business case for the Non-Housing Capital Programme.

Proposed by Councillor Jon Clempner (seconded by Councillor Tony Durcan) it was:

RESOLVED that Cabinet:

- A** Acknowledges the progress made in the delivery of the Council's Housing and Non-Housing Capital Programmes for the second quarter of 2015/16 (as at 27 September 2015) as follows:
 - (i) Housing Capital Programme projected variation of £1,946,000 below the revised budget (representing -7.2%).

(ii) Non-Housing Capital Programme projected variation of £162,000 above the revised budget (representing 2.4%).

B Acknowledges the performance in delivering the capital programmes, as summarised in Tables 2 and 5 of the report submitted (reference paragraphs 7 and 19).

C RECOMMENDS to Full Council the following to the respective Capital Programmes:

(i) Approves carryovers to 2016/17 from the Housing Capital Programme of £1.9m (reference paragraph 6 of the report submitted).

(ii) Inclusion of a new business case in the Non-Housing Programme totalling £15,000 (reference paragraph 14 of the report submitted).

(iii) Approves carryovers to 2016/17 from the Non-Housing Capital Programme of £784,000 (reference paragraph 15 of the report submitted).

69. **TREASURY MANAGEMENT STRATEGY STATEMENT 2015/16: MID YEAR REVIEW**

The Cabinet received a mid-year report on the Treasury Management Strategy, previously approved by Full Council.

Proposed by Councillor Jon Clempner (seconded by Councillor Mark Wilkinson) Cabinet:

RESOLVED that the Mid-Year Review of the Treasury Management Strategy, attached as Appendix A of the report submitted, is noted and referred to Full Council for approval.

70. **INTERIM REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2015**

The Cabinet received a report summarising a review into the polling places in Church Langley, Little Parndon and Hare Street and Mark Hall wards.

Proposed by Councillor Jean Clark (seconded by Councillor Tony Durcan) Cabinet:

RESOLVED that, with effect from 1 January 2016:

A Henry Moore Primary School will remain as the designated polling place for the polling district of Church Langley East.

B Pemberley Academy is designated as the polling place for the polling district of Little Parndon and Hare Street East.

C Harlow Museum is designated as the polling place for the polling district of Mark Hall North.

71. **STOCK CONDITION SURVEYS NON-HOUSING - PROJECT NO: 15/023**

The Cabinet received a report summarising the outcome of a tender for non-housing stock condition surveys.

Proposed by Councillor Tony Durcan (seconded by Councillor Emma Toal)
Cabinet:

RESOLVED that (subject to formal contract and the standstill period) authority is delegated to the Chief Operating Officer, in consultation with the Portfolio Holder for Regeneration and Enterprise, to approve the award of a contract for non-housing stock condition surveys.

72. **ADOPTION OF AMENDMENTS TO LONDON ROAD SOUTH LOCAL DEVELOPMENT ORDER**

The Cabinet received a report that proposed an amendment to the Local Development order for the Enterprise Zone, London Road South site.

Councillor Tony Durcan, Portfolio Holder for Regeneration and Enterprise, announced that, as the consultation period had now closed, the first part of Recommendation A as provided in the report submitted could be deleted.

Proposed by Councillor Tony Durcan (seconded by Councillor Jon Clempner) it was:

RESOLVED that:

A Cabinet RECOMMENDS to Full Council that the amendments to the London Road South Local Development Order (contained in appendices to the report submitted) are approved and the revised Order adopted.

B Authority is delegated to the Head of Place, in consultation with the Portfolio Holder for Regeneration and Enterprise, to make any necessary minor amendments to the Local Development Orders, Statement of Reasons and supporting documentation prior to adoption.

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

a) **Referral from Scrutiny Committee - Review of Pay Day Loan Businesses**

The Cabinet received a report from the Scrutiny Committee that advised of the outcome of its review of Pay Day Loan Businesses and made recommendations for how they might be controlled.

Proposed by Councillor Mark Wilkinson (seconded by Councillor Jean Clark) Cabinet:

RESOLVED that the construction of an appropriate development management policy aimed at controlling, in so far as planning powers will allow, pay day loan shops in Harlow is pursued as part of the future Local Plan.

b) **Referral from Cabinet Overview Working Group - Medium Term Financial Strategy**

The Cabinet received a report from its Overview Working Group that advised of the outcome of its review of the Council's Medium Term Financial Strategy and made recommendations for its preparation in 2016/17.

Proposed by Councillor Jon Clempner (seconded by Councillor Tony Durcan) it was:

RESOLVED that the Cabinet will ensure that the details of the 2015 Autumn Statement and in particular, but not exclusively, the impact on the HRA, Capital and Discretionary Fund are considered fully in the development of the Council's financial plans for 2016/17 and future years once the Local Government Finance Settlement is announced later in December.

c) **Referral from Cabinet Overview Working Group - Local Council Tax Support Scheme (LCTSS)**

The Cabinet received a report from its Overview Working Group that advised of the outcome of its review of the Council's Local Council Tax Support Scheme (LCTSS) 2015/16 and made recommendations for the 2016/17 Scheme.

Councillor Jon Clempner, Leader of the Council, noted that the LCTSS for 2016/17 would require final approval by Full Council.

Proposed by Councillor Jon Clempner (seconded by Councillor Emma Toal) Cabinet:

RESOLVED that it is RECOMMENDED to Council that:

A The 2016/17 Local Council Tax Support Scheme is amended as follows:

(i) The introduction of a minimum income floor for self-employed claimants of Local Council Tax Support.

(ii) The award of backdated Local Council Tax Support is limited to one month.

B The proposal to remove the Family Premium in calculating an award of Local Council Tax Support is deferred for a further 12 months.

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

RESOLVED that the minutes of the following meetings are noted.

a) Minutes of meeting Tuesday, 13 October 2015 of Cabinet Overview Working Group

b) Minutes of meeting Friday, 16 October 2015 of Harlow Local Highways Panel

c) Minutes of meeting 6 October 2015 of Housing Standards Board

d) Minutes of meeting Thursday, 5 November 2015 of Safety Committee

75. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL