

**CABINET**  
**Thursday, 10 November 2016 at 7.30 pm**  
**Council Chamber, Civic Centre**

**Members**

Councillor Jon Clempner, Leader of the Council  
Councillor Emma Toal, Deputy Leader and Portfolio Holder for Youth & Community  
Councillor Mike Danvers, Portfolio Holder for Resources  
Councillor Tony Durcan, Portfolio Holder for Regeneration & Enterprise  
Councillor Waida Forman, Portfolio Holder for Governance  
Councillor Danny Purton, Portfolio Holder for Environment  
Councillor Mark Wilkinson, Portfolio Holder for Housing

**Other Attendees**

Councillor Mark Ingall  
Councillor Lanie Shears  
Councillor John Strachan

**AGENDA**

1. Apologies for absence
2. Declarations of Interest  
  
Councillors' declarations of interest (if any) in relation to any items on the agenda.
3. Minutes (Pages 3 - 7)  
  
To approve the minutes of the meeting held on 13 October 2016.
4. Matters Arising  
  
Any matters arising from the minutes of the previous meeting.
5. Written Questions from the Public  
  
To receive any questions from members of the public in accordance with Rule 10 of the Council Procedure Rules.
6. Written Questions from Councillors  
  
To receive any questions from Councillors in accordance with Rule 11 of the Council Procedure Rules.
7. Petitions

To consider any petitions that have been referred to the Cabinet under the Council's Petition Scheme.

8. Forward Plan (Pages 8 - 16)

To note the Forward Plan, which lists all upcoming Cabinet decisions and provides notice of key decisions and those expected to be taken in private session.

9. Recent Decisions Taken by The Leader, Deputy or Portfolio Holder(s)

There have not been any decisions taken by Portfolio Holders under delegated powers since the last meeting of the Cabinet.

10. Appointment of a Consultant to Undertake Asbestos Surveys, Air Monitoring and Associated Services Framework Agreement (Pages 17 - 21)

11. North Essex Parking Partnership (NEPP) - Extension of Joint Committee Agreement (Pages 22 - 25)

12. Communications from Committees/Working Groups/Parties and Panels

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

13. Minutes of Sub-Committees/Panels/Working Groups

To note the following draft minutes of Cabinet appointed bodies. Minutes remain draft until approved by the relevant body.

a) Minutes of meeting Wednesday, 19 October 2016 of Shareholders Sub Committee (Pages 26 - 28)

14. Matters of Urgent Business

To deal with any matters of an urgent nature.

**MINUTES OF THE CABINET  
HELD ON**

13 October 2016

7.30 - 8.07 pm

**PRESENT**

**Cabinet Members**

Councillor Jon Clempner, Leader of the Council

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

Councillor Mike Danvers, Portfolio Holder for Resources

Councillor Tony Durcan, Portfolio Holder for Regeneration & Enterprise

Councillor Waida Forman, Portfolio Holder for Governance

Councillor Danny Purton, Portfolio Holder for Environment

Councillor Mark Wilkinson, Portfolio Holder for Housing

**Additional Attendees**

Councillor Mark Ingall

Councillor Lanie Shears

**Other Councillors**

Councillor Andrew Johnson

Councillor Simon Carter

Councillor Joel Charles

**Officers**

Malcolm Morley OBE, Chief Executive

Brian Keane, Head of Governance

Graeme Bloomer, Head of Place

Simon Freeman, Head of Finance

Lisa Purse, Corporate and Governance Support Officer

Adam Rees, Corporate and Governance Support Officer

44. **APOLOGIES FOR ABSENCE**

None.

45. **DECLARATIONS OF INTEREST**

None.

46. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 15 September 2016 are agreed as a correct record and signed by the Leader.

47. **MATTERS ARISING**

None.

48. **WRITTEN QUESTIONS FROM THE PUBLIC**

None.

49. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

50. **PETITIONS**

None.

51. **FORWARD PLAN**

**RESOLVED** that the Forward Plan is noted.

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

None.

53. **RESPONSE TO THE FINDINGS AND RECOMMENDATIONS OF THE LONDON STANSTED CAMBRIDGE CORRIDOR GROWTH COMMISSION**

The Cabinet received a report which sought to establish the Council's response to the findings of the London Stansted Cambridge Corridor Growth Commission's findings.

Proposed by Councillor Jon Clempner (seconded by Councillor Danny Purton) it was:

**RESOLVED** that Cabinet:

- A.** Recognises the importance of the London Stansted Cambridge Corridor as a key economic corridor.
- B.** Confirms its commitment to Harlow playing an active role in the London Stansted Cambridge Corridor Consortium to ensure that the town is recognised as a key location for investment and economic growth within the corridor.
- C.** Supports the five priorities identified by the Growth Commission to drive the realisation of the ambition for the corridor.
- D.** Confirms its commitment to work with partners to ensure that Harlow is able to develop a symbiotic relationship with London and other areas within the corridor.

54. **MEMORANDUM OF UNDERSTANDING ON HIGHWAYS AND TRANSPORTATION INFRASTRUCTURE FOR THE WEST ESSEX/EAST HERTFORDSHIRE HOUSING MARKET AREA**

The Cabinet received a report which sought approval for a Memorandum of Understanding on Highways and Transportation Infrastructure for the West Essex/East Hertfordshire Housing Market Area in order to provide evidence of working together under Duty to Cooperate.

Proposed by Councillor Danny Purton (seconded by Councillor Jon Clempner) it was:

**RESOLVED** that Cabinet:

- A. Approves the draft Memorandum of Understanding (MoU) between East Hertfordshire District Council, Epping Forest District Council, Harlow Council, Uttlesford District Council, Essex County Council, Hertfordshire County Council and Highways England covering Highways and Transportation Infrastructure. (Appendix A).
- B. Delegates authority to the Chief Executive in consultation with the Portfolio Holder for Environment to approve any minor amendments to the draft Memorandum.
- C. Subject to B, the Chief Executive be authorised to sign the MoU in consultation with the Leader and the Portfolio Holder.

55. **MEMORANDUM OF UNDERSTANDING: MANAGING THE IMPACTS OF GROWTH WITHIN THE WEST ESSEX/EAST HERTFORDSHIRE HOUSING MARKET AREA ON EPPING FOREST SPECIAL AREA OF CONSERVATION**

The Cabinet received a report which sought approval for a Memorandum of Understanding on managing the impacts of growth within the West Essex/East Hertfordshire housing market area on Epping Forest special area of conservation in order to provide evidence of working together under Duty to Cooperate.

Proposed by Councillor Danny Purton (seconded by Councillor Jon Clempner) it was:

**RESOLVED** that Cabinet:

- A. Approves the draft Memorandum of Understanding (MoU) between East Hertfordshire District Council, Epping Forest District Council, Harlow Council, Uttlesford District Council, Essex County Council, Hertfordshire County Council, City of London Corporation (Conservators of Epping Forest) and Natural England managing the impact of growth on Epping Forest Special Area of Conservation.

- B. Delegates authority to the Chief Executive in consultation with the Portfolio Holder for Environment to approve any minor and inconsequential amendments to the draft Memorandum.
- C. Subject to B, the Chief Executive be authorised to sign the MoU in consultation with the Leader and the Portfolio Holder.

56. **FINANCE REPORT**

The Cabinet received a report which recommended accepting the four year local government funding settlement.

Proposed by Councillor Jon Clempner (seconded by Councillor Mike Danvers) it was:

**RESOLVED** that Cabinet agrees to accept the four year local government funding settlement as set out in the report.

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

a) **Cabinet Overview Working Group Work Plan**

Proposed by Councillor Waida Forman (seconded by Councillor Mark Wilkinson) it was:

**RESOLVED** that Cabinet agrees to the proposed additions to the 2016/17 work plan for the Overview Working Group as detailed in appendix 1 of the report.

- i. Treasury Management Strategy Review.
- ii. Local Council Tax Support Scheme.
- iii. The Medium Term Financial Strategy.

58. **MINUTES OF SUB-COMMITTEES/PANELS/WORKING GROUPS**

**RESOLVED** that the minutes of the following meetings are noted.

- a) **Minutes of meeting Thursday, 8 September 2016 of Cabinet Overview Working Group**
- b) **Minutes of meeting Tuesday, 13 September 2016 of Housing Standards Board**
- c) **Minutes of meeting Thursday, 15 September 2016 of Harlow Local Highways Panel**

59. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

## Harlow Council Forward Plan

This plan contains all decisions that the Council's Cabinet expects to take over the coming year. Where relevant, each decision has been identified as a Key Decision or as involving consideration in private session.

The definition of a Key Decision is given in Article 12 of the Council's Constitution but is also set out here for clarity.

A 'Key Decision' means a Cabinet/Portfolio Holder decision which is likely:

- a) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates. For this purpose, expenditure or savings are deemed to be significant if they exceed £50,000; or
- b) to be significant in terms of its effects on communities living in an area comprising two or more wards in Harlow.

Each decision listed in this Forward Plan has been assigned an exemption status as follows:

**Open** – members of the press and public are expected to be allowed to attend during consideration of this matter.

**Confidential** – members of the press and public are expected to be excluded during consideration of this matter. The reasons for this exclusion will be stated in column 5, and relate to a lawful power to exclude the press and public when specific classes of information are being discussed, as contained in the [Local Government Act 1972](#).

A Decision Notice for each Key Decision is published within five days of it being made. Decision Notices and documents to be considered by decision makers are open for inspection on the Council's website [www.harlow.gov.uk](http://www.harlow.gov.uk) and at the Civic Centre, The Water Gardens, Harlow, CM20 1WG. Representations on an upcoming key decision can be made by writing to the Chief Executive, using the address above.

The current members of the Cabinet are as listed on the Council's website at the following page <http://moderngov.harlow.gov.uk/mgCommitteeDetails.aspx?ID=121>



Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I006 503	North Essex Parking Partnership (NEPP) – Extension of Joint Committee Agreement	Cabinet	10 Nov 2016	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Graeme Bloomer
I004 945	Appointment of a Consultant to undertake Asbestos Surveys, Air Monitoring and Associated Services	Cabinet	10 Nov 2016	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray
I001 170	Local Development Plan - approval of statutory consultation document	Cabinet	8 Dec 2016 Subject to the outcomes of the duty to co-operate process and availability of technical evidence from third parties	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Graeme Bloomer

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I006 015	Local Council Tax Support Scheme proposals 2017/18	Cabinet	8 Dec 2016	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I006 016	Treasury Management Strategy Statement 2016/17: Mid Year Review	Cabinet	8 Dec 2016	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I006 006	Award of Asset Management Services Framework Agreement	Cabinet	8 Dec 2016	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray
I005 988	Joint Finance and Performance Report, Quarter 2 2016/17	Cabinet	8 Dec 2016	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I005 999	Housing Revenue Account, Quarter 2 Finance Report 2016/17	Cabinet	8 Dec 2016	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Simon Freeman
I005 996	Capital Programmes Quarter 2 Finance Report 2016/17	Cabinet	8 Dec 2016	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I006 010	Debt write offs	Cabinet	8 Dec 2016	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I003 040	Contract Award - Lift Maintenance	Cabinet	26 Jan 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I004 186	Heating Charges (District Heating Schemes)	Cabinet	26 Jan 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray
I005 993	Corporate Plan 2017/18	Cabinet	26 Jan 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Councillor Jon Clempner  Malcolm Morley OBE
I005 994	Medium Term Financial Strategy 2017/18	Cabinet	26 Jan 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I005 992	General Fund Budget 2017/18	Cabinet	26 Jan 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I006 017	Housing Revenue Account Business Plan 2016-2046	Cabinet	26 Jan 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Simon Freeman, Andrew Murray
I006 003	Housing Revenue Account Budget 2017/18	Cabinet	26 Jan 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers), Portfolio Holder for Housing (Councillor Mark Wilkinson)  Simon Freeman, Andrew Murray
I006 002	Capital Programmes 2017/18 - 2019/20	Cabinet	26 Jan 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I006 004	Treasury Management Strategy 2017/18	Cabinet	26 Jan 2017	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I005 696	Award of contract for Legionella Risk Assessments and Water Hygiene	Cabinet	23 Mar 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Andrew Murray
I004 191	Health and Wellbeing Strategy	Cabinet	23 Mar 2017	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Youth and Community (Councillor Emma Toal)  Jane Greer
I005 989	Joint Finance and Performance Report, Quarter 3 2016/17	Cabinet	23 Mar 2017	Key decision: <b>No</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I006 000	Housing Revenue Account, Quarter 3 Finance Report 2016/17	Cabinet	23 Mar 2017	Key decision: <b>No</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Housing (Councillor Mark Wilkinson)  Simon Freeman
I005 997	Capital Programmes Quarter 3 Finance Report 2016/17	Cabinet	23 Mar 2017	Key decision: <b>No</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman
I005 709	HMO Annual Licensing	Cabinet	23 Mar 2017	Key decision: <b>No</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Environment (Councillor Danny Purton)  Graeme Bloomer
I006 011	Debt write offs	Cabinet	23 Mar 2017	Key decision: <b>Yes</b> Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Resources (Councillor Mike Danvers)  Simon Freeman

Ref.	Decision title	Decision Maker	Expected Date of Decision and Ward(s) affected	Key Decision and private consideration status	Documents to be considered by decision maker	Portfolio Holder and Lead Officer
I001 163	Non Housing Asset Management Strategy	Cabinet	To be confirmed Subject to OWG review	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Regeneration & Enterprise (Councillor Tony Durcan)  Graeme Bloomer
I004 195	Economic Development Strategy for Harlow	Cabinet	To be confirmed Subject to OWG review	Key decision: <b>Yes</b>  Likely exemption status: <b>Open</b>	Officer's report	Portfolio Holder for Regeneration & Enterprise (Councillor Tony Durcan)  Jane Greer



**REPORT TO:** CABINET

**DATE:** 10 NOVEMBER 2016

**TITLE:** APPOINTMENT OF A CONSULTANT TO UNDERTAKE ASBESTOS SURVEYS, AIR MONITORING AND ASSOCIATED SERVICES FRAMEWORK AGREEMENT

**PORTFOLIO HOLDER:** COUNCILLOR MARK WILKINSON, PORTFOLIO HOLDER FOR HOUSING

**LEAD OFFICERS:** ANDREW MURRAY, HEAD OF HOUSING (01279) 446676

KARL CARR, HOUSING PROPERTY SERVICES MANAGER (01279) 446354

DANIEL MAYLIN, CONTRACTS & COMPLIANCE MANAGER (01279) 446274

**This is a Key Decision.**

**It is on the Forward Plan as Decision Number I00945**

**This decision may be subject to Call-in procedures.**

**This decision will not affect any ward specifically.**

**RECOMMENDED that:**

- A** Cabinet grants approval to appoint service providers D, G and I onto a 4 year Framework Agreement for asbestos surveys subject to formal contract and the standstill period.

**REASON FOR DECISION**

- A** To provide a compliant and flexible means of delivering asbestos surveys to the Council's housing stock and commercial portfolio. The Council's domestic and non-housing properties number circa 11,000. This contract is required in order to ensure compliance with relevant legislation.

**BACKGROUND**

- 1 The Control of Asbestos Regulations 2012 (Regulation 4), placed an explicit duty on the Council (the duty holder), for any tenanted and

commercial premises, to identify asbestos containing materials that may be present in the property, to safely manage/remove asbestos, and to maintain an accurate and reliable register. The Framework Agreement is for asbestos sampling, surveying and specialist advice.

- 2 Asbestos sampling and surveying is required when asbestos is disturbed or when work to a property is to be undertaken. The purpose being to establish the exact location of any asbestos, its extent, product type, accessibility, condition and surface treatment. Sampling will be used to identify whether asbestos fibres are contained within any suspect materials identified during a survey on an emergency or unplanned basis.
- 3 The surveys will also comprise of full and partial refurbishment and demolition surveys, and Management Surveys as defined within HSG264 Asbestos: The Survey Guide.

## **PROCUREMENT**

- 4 An advert was despatched for publication in the European Journal, in compliance with EU Procurement Regulations on 1 July 2016, inviting service providers to submit a tender using the Open Procedure. The advert also appeared on the Council's tendering portal.
- 5 26 tenders were received by the Council. One late tender and four non-compliant bids were disqualified from the process.

## **TENDER EVALUATION**

- 6 Tenders have been evaluated on the basis of price and quality (20% Relevant Experience/30% Service Delivery/50% Price) against the criteria included in the tender documents. An analysis of the tenders has been undertaken and the four stage evaluation process incorporated the following:
  - Stage 1: Qualitative Evaluation
  - Stage 2: Price Evaluation
  - Stage 3: Moderation Exercise
  - Stage 4: Standstill Period
- 7 The qualitative assessment has been measured against a series of questions raised within the tender documents. For ease of assimilating the evaluation scores, a rating system for assessment of the bids was established. The response to each question was marked and given a score between 0 and 10. This was then weighted according to its relative importance. The weighted price and quality scores are shown below.

	Relevant Experience 20%	Service Delivery 30%	Total Sum of Costing Schedule	Price 50%	Total Weighted Score	Overall Ranking
A	800	1380	£3,903.46	2500	4680	20
B	1900	2550	£2,522.70	3850	8300	4
C	1300	2460	£2,431.32	4000	7760	6
<b>D</b>	<b>2000</b>	<b>2940</b>	<b>£2,858.50</b>	<b>3400</b>	<b>8340</b>	<b>3</b>
E	1560	2280	£5,015.84	1950	5790	15
F	1800	2430	£2,530.20	3850	8080	5
<b>G</b>	<b>1300</b>	<b>2310</b>	<b>£1,947.87</b>	<b>5000</b>	<b>8610</b>	<b>1</b>
H	1760	2370	£4,295.78	2250	6380	11
<b>I</b>	<b>2000</b>	<b>3000</b>	<b>£2,828.00</b>	<b>3450</b>	<b>8450</b>	<b>2</b>
J	1460	1530	£2,581.78	3750	6740	8
K	1160	2160	£5,152.30	1900	5220	18
L	1100	2160	£4,288.19	2250	5510	17
M	1460	1830	£6,483.68	1500	4790	19
N	1360	1830	£2,804.35	3450	6640	9
O	960	2160	£6,333.32	1550	4670	21
P	1800	2760	£6,943.44	1400	5960	14
Q	960	2400	£4,019.25	2400	5760	16
R	1860	2370	£3,250.00	3000	7230	7
S	1700	2640	£5,850.56	1650	5990	13
T	1700	2370	£4,607.55	2100	6170	12
U	1560	2520	£3,838.83	2550	6630	10

- 8 The price assessment has been calculated on the basis of the total value of the items (Codes 1 to 2.14) included in the Asbestos Costing Schedule.
- 9 It is recommended that the three highest scoring service providers are appointed on to the Framework Agreement for a term of four years.

### **STANDSTILL PERIOD**

- 10 The standstill period is a legal requirement and provides for a short (at least 10 calendar days) pause between the point when the contract award decision is notified to bidders, and the final contract conclusion. During this time service providers can challenge the decision. The standstill period is expected to expire no sooner than 4 November 2016.

### **FRAMEWORK AGREEMENT**

- 11 Services may be called-off from the Framework Agreement on an ad hoc basis. A multi-supplier Framework gives the Council a great deal of flexibility in the delivery of the services, as it may choose the service provider who

demonstrably offers best value for money when judged against the following criteria:

- a) Speed of response, including, without limitation, capacity to meet required deadlines;
  - b) Past performance; and
  - c) Price (by reference to the Asbestos Costing Schedule, Day and Hourly Rates Schedule).
- 12 The Council may also call-off services under this Framework Agreement via a mini competition, if this is deemed to be the most economically advantageous option for the Council. In such circumstances, all service providers appointed onto the Framework shall be given the opportunity to submit a mini tender.
- 13 It is proposed that the Framework Agreement will commence on 3 January 2017 and it is estimated that the value of the services to be called off per annum is £80,000 to £100,000.
- 14 In summary, service providers D, G and I have submitted the highest scoring tenders, and it has been demonstrated that they are capable of delivering cost effective services to the standard required by the Council. The volume and/or frequency of the work to be issued under the Framework Agreement is not guaranteed.

## **IMPLICATIONS**

### **Regeneration (includes Sustainability)**

Author: **Graeme Bloomer, Head of Regeneration**  
None specific.

### **Finance (Includes ICT)**

Author: **Simon Freeman, Head of Finance**  
The Financial Implications are set out in the report and will be met from existing Housing budgets.

### **Housing**

Author: **Andrew Murray, Head of Housing**  
As contained in the report.

### **Community Wellbeing (includes Equalities and Social Inclusion)**

Author: **Jane Greer, Head of Community Wellbeing**  
None specific.

### **Governance (includes HR)**

Author: **Amanda Julian, Legal Service Manager for the Head of Governance**  
The contract has been procured in accordance with the European Procurement Regulations and the Council's Contract Standing Orders. There is a legal duty to ensure that as a landlord the Council ensures the safety of its premises for tenants. By contracting with specialist providers the Council is mitigating risk of exposure to asbestos.

### **Background Papers**

**OJEU Notice** - published under the publication number **2016/S 126-225297**.

### **Glossary of terms/abbreviations used**

Framework Agreement – a non-binding agreement which sets out the terms, conditions and scope of the goods, works or services under which Call-Offs can be made throughout the term of the Agreement. Framework Agreements normally have a term of 4 years.

Open Procedure – A single stage procurement route which give all services providers the opportunity to submit a tender.

Call-Off contract – A contract entered into via a Framework Agreement. The number of Call-Offs is not limited and this method of procurement will provide the Council with a flexible solution to deliver asbestos surveys over the Term to the extent that this may be required.

**REPORT TO:** CABINET

**DATE:** 10 NOVEMBER 2016

**TITLE:** NORTH ESSEX PARKING PARTNERSHIP  
(NEPP) – EXTENSION OF JOINT  
COMMITTEE AGREEMENT

**PORTFOLIO HOLDER:** COUNCILLOR DANNY PURTON,  
PORTFOLIO HOLDER FOR ENVIRONMENT

**LEAD OFFICERS:** GRAEME BLOOMER, HEAD OF PLACE  
(01279) 446270

JOE MCGILL, PROPERTIES & FACILITIES  
MANAGER (01279) 446800

**This is a Key Decision**

**It is on the Forward Plan as Decision Number I006503**

**The decision may be subject to Call-in procedures**

**This decision will not affect any ward specifically**

**RECOMMENDED that**

- A** Cabinet approves the Council's membership of an extended On-Street and Off-Street North Essex Parking Partnership (NEPP) to March 2022.

**REASON FOR DECISION**

- A** The current agreement includes an option for a four year extension when it terminates in March 2018. Essex County Council has indicated its intention to take up that option and offer both the North and South Partnerships an extension to the existing agreement through to March 2022.

**BACKGROUND**

1. The Governance arrangements are fully inclusive for each district council and have improved significantly since inception. The districts now have the opportunity to vote at each stage of the process as well as comment on the technical assessments prior to any order being made. Harlow Council has played an important role in working across the districts to provide technical assistance by way of GIS mapping and the drafting of Orders in support of Colchester as the lead authority. There have been numerous occasions

when Harlow Council has received recognition for its contribution from other district councils within the partnership.

2. The work of NEPP has resulted in a significant number of Traffic Regulation Orders (TROs) being implemented in comparison to the previous Essex County Council structure. In some districts, they had waited more than 7-10 years to get a TRO implemented.
3. Membership of NEPP includes off-street parking enforcement (i.e. car parks and cash collection) with the exception of Harlow Council, which continues to operate cash collection at more competitive rates due to the proximity of the car parks.
4. The Council and its Cabinet representatives (two of whom have been deputy chairs on NEPP) have been and continue to be, key contributors to the success of the Partnership.

## **ISSUES/PROPOSALS**

5. In 2015/16 Essex County Council appointed Blue Marble consultancy to carry out a review of the progress made by the Parking Partnerships and to consider/recommend further efficiencies. This review included consultation with the district councils' portfolio holders on NEPP. Essex County Council's options for the review of the partnerships were:
  - a) Cost benefit for continuing.
  - b) Efficiency derived from the Partnerships.
  - c) Local determination of schemes.
  - d) Essex County Council terminating current arrangements.
  - e) A single contract for both the North and South Partnerships.
  - f) Continuation of the agreements as they are.
6. The recommendation by Blue Marble to Essex County Council was the continuation of agreements as they are with a move towards more back office support and sharing of best practice.

## **HARLOW COUNCIL**

7. The Council's membership includes the provision of office accommodation at the Latton Bush Centre, GIS mapping and drafting of on-street traffic orders for approval by NEPP.
8. The Off-Street membership is for the patrolling of car parks from the central resources allocated by Colchester Borough Council. The centrally delivered parking enforcement offers greater efficiency in terms of patrol rotas and costs than that achieved by individual districts.

9. The key issue for the partnering district councils was Essex County Council's position regarding ongoing revenue funding for the making of traffic orders and line signing maintenance. The partners have, by working collaboratively across the districts, reduced the deficit year on year. Thus enabling the partners to develop a sustainable business plan to address the revenue requirement going forward
10. If Harlow Council chooses to exit the Off- Street partnership then costs would rise as a direct result and there would be a need to invest in a new IT system to ensure compliance with traffic management processes. In addition, more civil enforcement officers would be required to cover holidays, shift patterns etc. Additionally, an independent administrator to deal with appeals would need to be employed
11. If the Council were to withdraw from the On-Street element of the Partnership, it is likely that the back office regime would vacate the offices at the Latton Bush Centre along with the loss of income for GIS mapping and drafting of traffic orders.
12. The importance of being a key player in the Partnership that enables the Council to contribute and influence local traffic orders for residents and business should not be underestimated. It is the view of Officers that it is in the Council's interest to remain in the Partnership by way of this extension.
13. Epping Forest District Council has served the mandatory 12 months' notice period to NEPP advising that they no longer wish to be part of the Off-Street Partnership and will self-manage their own car parks as of 1 April 2017.

## **IMPLICATIONS**

### **Place**

Author: **Graeme Bloomer, Head of Place**

The reasons for continuing to be a member of the North Essex Parking Partnership are set out in this report.

### **Finance**

Author: **Simon Freeman, Head of Finance**

The financial implications are contained within the report

### **Housing**

Author: **Andrew Murray, Head of Housing**



None.

### **Community & Customer Services (includes Equalities and Social Inclusion)**

Author: **Jane Greer, Head of Community and Customer Services**

None

### **Governance**

Author: **Brian Keane, Head of Governance**

None.

### **Background Papers**

None

### **Glossary of terms/abbreviations used**

North Essex Parking Partnership (NEPP)

Traffic Order (TRO)

Geographical Information System (GIS)

**MINUTES OF THE SHAREHOLDER SUB COMMITTEE  
HELD ON**

19 October 2016

7.30 - 8.07 pm

**PRESENT**

**Sub Committee Members**

Councillor Jon Clempner (Chairman)  
Councillor Joel Charles  
Councillor Danny Purton

**Officers**

Graham Branchett, Chief Operating Officer  
Julie Galvin, Assistant Solicitor  
Adam Rees, Corporate and Governance Support Officer

**Additional Attendees**

John Phillips, Managing Director, HTS (Property and Environment) Limited  
Michael Harrowven, Non-Executive Chair of the HTS (Property & Environment)  
Limited Board

**APOLOGIES**

Councillor Mark Wilkinson

29. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mark Wilkinson.

30. **DECLARATIONS OF INTEREST**

None.

31. **MINUTES**

**RESOLVED** that the minutes of the meeting held on 7 July 2016 are agreed as a correct record and signed by the Leader.

32. **MATTERS ARISING**

None.

33. **SUB COMMITTEE WORK PLAN**

The Work Plan was noted.

34. **HARLOW TRADING SERVICES LIMITED TRANSITION PLAN UPDATE**

The Sub-Committee received an update on the transition from the current Joint Venture Company to HTS (Property and Environment) Limited.

The Sub-Committee noted the progress which had been made on the IT network installation, improvements to software and the use of SAGE software which would allow the company to process of HR and payroll. It was also noted that consultations had commenced with both the trade unions and employees.

John Phillips, Managing Director of HTS (Property and Environment) Limited, outlined the fleet leasing arrangements and explained how cloud technology would be utilised. A new Finance Director had been appointed earlier in the month.

The Sub-Committee noted the Transition Board's role in resolving problems and the escalation procedures which were in place, should they be needed.

The Leader asked for a copy of the minutes for the most recent Transition Board meeting.

**RESOLVED** that the Transition Plan Update was noted.

35. **REFERENCES FROM THE LATC BOARD OF DIRECTORS**

36. **ARTICLES OF ASSOCIATION**

The Sub-Committee considered the Articles of Association for HTS Group Limited, which were recommended for adoption.

**RESOLVED** that the HTS Group Ltd Articles of Association be adopted.

37. **CONSULTATION ON APPOINTMENT OF AUDITORS**

The Sub-Committee received a report on the proposed appointment of Ernst Young as external auditors to HTS (Property & Environment) Limited.

**RESOLVED** that the Sub-Committee noted:

- A. The Board's proposed appointment of Ernst Young as external auditors to HTS (Property & Environment) Limited for the first fourteen month trading period.
- B. That the terms and conditions of the appointment be agreed by the Company Secretary.

C. That a further report is to be provided to the Board following completion and implementation of the planned national framework to deliver external audit services to Local Authorities and their wholly owned trading companies.

38. **RECEIVE UPDATE ON SERVICES AGREEMENT**

The Sub-Committee received an update on the Services Agreement contract between the Council and HTS (Property and Environment) Ltd.

**RESOLVED** that the Services Agreement contract be noted.

39. **MATTERS OF URGENT BUSINESS**

None.

40. **DATE OF NEXT MEETING**

24 November 2016 (if needed).

19 January 2017.

CHAIRMAN OF THE SUB COMMITTEE