

MINUTES OF THE CABINET HELD ON

14 September 2017

7.30 - 8.55 pm

PRESENT

Committee Members

Councillor Jon Clempner, Leader of the Council
Councillor Emma Toal, Deputy Leader and Portfolio Holder for Youth and Community
Councillor Mike Danvers, Portfolio Holder for Resources
Councillor Tony Durcan, Portfolio Holder for Regeneration and 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 Lanie Shears
Councillor Mark Ingall

Other Councillors

Councillor Simon Carter
Councillor Joel Charles
Councillor Andrew Johnson
Councillor Eddie Johnson
Councillor Clive Souter

Officers

Graeme Bloomer, Head of Place
Andrew Bramidge, Project Director – Harlow Enterprise Zone
Simon Freeman, Head of Finance
Jane Greer, Head of Community Wellbeing
Brian Keane, Head of Governance
Andrew Murray, Head of Housing
Adam Rees, Governance Support Officer

38. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Strachan.

39. DECLARATIONS OF INTEREST

None.

40. MINUTES

RESOLVED that the minutes of the meeting held on 20 July 2017 are agreed as a correct record and signed by the Leader.

41. MATTERS ARISING

None.

42. **WRITTEN QUESTIONS FROM THE PUBLIC**

None.

43. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

44. **PETITIONS**

None.

45. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

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

None.

47. **JOINT FINANCE AND PERFORMANCE REPORT, QUARTER 1 2017/18**

Cabinet received a report which set out both the Council's financial performance, along with its performance against its own performance indicators for the first quarter of 2017/18.

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

RESOLVED that Cabinet:

A Acknowledged the projected outturn position set out in sections three and four of Appendix A to the report for the first quarter (April – June) of 2017/18 as follows:

- (i) A favourable variation on controllable budgets of £85,000 representing -0.14 percent of the gross General Fund Budget.
- (ii) A total projected underspend of £104,000 representing - 0.17 percent of the gross General Fund Budget.
- (iii) The Council performed on target or above target for 41 out of 43 (95 percent) of performance indicators.

48. **HOUSING REVENUE ACCOUNT, QUARTER 1 FINANCE REPORT 2017/18**

Cabinet received a report which provided an update on the Housing Revenue Account (HRA) for the first quarter of 2017/18 and asked that

Cabinet noted variances in the HRA budget and the forecast budget of the HRA and Major Repairs Reserve.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that Cabinet:

A Noted:

- (i) An unfavourable variation against the approved Housing Revenue Account (HRA) operational /controllable budget of £297,000 representing 0.56 percent of the gross HRA Budget.
- (ii) An unfavourable non-operational variance of £3,801,000 representing (-)7.19 percent of the gross HRA Budget which includes adjustments to capital programme financing as a result of an updated outturn position for 2016/17 and reflecting the urgent need to reprioritise the programme.

B Noted the forecast balances at 31 March 2018, of £6,094,000 in respect of the Housing Revenue Account and nil in respect of the Major Repairs Reserve.

49. **CAPITAL PROGRAMMES, QUARTER 1 FINANCE REPORT 2017/18**

Cabinet received a report which provided an update on the Council's Housing and Non-Housing Capital Programmes, to approve a revised Housing Capital Programme for 2017/18, and to approve two business cases.

Proposed by Councillor Mike Danvers (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that:

A Progress was noted on the delivery of the Council's Housing and Non-Housing Capital Programmes as at Quarter 1 as follows:

- (i) Housing Capital Programme – forecast outturn of £22,601,000 (original estimate £18,530,000).
- (ii) Non-Housing Capital Programme – a forecast outturn of £7,591,000 (original estimate £5,425,000).

B Approval was given for a revised Housing Capital Programme for 2017/18 outlined in paragraphs 20 and 21 of the report to be

realigned to accommodate revised Housing Asset Management priorities.

C Approval was given for new business cases in respect of the Non Housing Capital Programme:

- (i) To install new air conditioning (£12,000) at Mead Park Depot as part of the Health and Safety works agreed with HTS Ltd and funded from the contribution from Kier Harlow following the end of the Kier Harlow Contract. (Outlined in Annex A14 to the report).
- (ii) A supplementary estimate of £100,000 in respect of the Hummingbird Pub (approved by Cabinet on 20 July 2017).

50. **ANNUAL TREASURY MANAGEMENT REPORT 2016/17**

The Cabinet received a report on the Council's treasury management functions in 2016/17.

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

RESOLVED that Cabinet:

- A** Noted the annual Treasury Management Report for 2016/17 (Appendix A) including that the Council operated within the Treasury Management Strategy Statement during 2016/17, and that the report is recommended to Full Council for approval.
- B** Noted the issues that the outcome of the EU Referendum is creating and their impact on the Council's treasury management activities.
- C** Recommended to Full Council adoption of the revised Minimum Revenue Provision (MRP) Policy, attached as Appendix B to the report.

51. **NON DOMESTIC RATES - DISCRETIONARY RATE RELIEF POLICY**

Cabinet received a report setting out a revised Discretionary Rate Relief Policy for non-domestic rates.

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

RESOLVED that:

- A The proposed Discretionary Rate Relief Policy, as set out in Appendix A to the report, was recommended to Full Council for adoption.

52. **SELECTION OF CONTRACTOR FOR PRENTICE PLACE**

Cabinet received a report to appoint a contractor for refurbishment works to Prentice Place.

Proposed by Councillor Tony Durcan (seconded by Councillor Mark Wilkinson) it was:

RESOLVED that Cabinet:

- A Approved, subject to formal contract, the appointment of Contractor A (as set out in the report) for refurbishment works to Prentice Place for the sum of £3,269,774 (which includes a sum of £300,000 for contingency and risk items identified in the tender analysis).

53. **HTS (PROPERTY AND ENVIRONMENT) LIMITED CONTRACT AWARDS 2017/18 - PHASE 2**

Cabinet received a report to award three Business Cases to HTS (Property and Environment) Limited.

Proposed by Councillor Mark Wilkinson (seconded by Councillor Emma Toal) it was:

RESOLVED that:

- A The following Phase 2 Business Cases were awarded to HTS (Property and Environment) Limited subject to terms and conditions, and that separate contracts are entered into for each activity not exceeding the values set out in the table below:

a) Communal Boilers	£1,912,000
b) Energy Efficiency	£188,000
c) Garages	£500,000
TOTAL	£2,600,000

54. **DISPOSAL OF THE COUNCIL'S FREEHOLD PROPERTY KNOWN AS THE STOW DEPOT**

Cabinet received a report which sought approval to dispose of the Council's freehold interest in the Stow Depot.

Cabinet agreed to amend recommendation B in the report to emphasise the Council's desire to secure more affordable and social housing in Harlow.

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

RESOLVED that Cabinet:

- A** Declared the Stow Depot as surplus to requirements.
- B** Approved plans to dispose of the Council's freehold interest in the Stow Depot conditional upon the purchaser delivering a satisfactory mixed use scheme of redevelopment, incorporating an appropriate level of affordable and social housing.
- C** Delegated the Head of Place, in consultation with the Portfolio Holder for Regeneration and Enterprise, the authority 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 development and sale documentation (and all ancillary documents).

55. **HARLOW ENTERPRISE ZONE - ARTICLE 4 DIRECTION**

Cabinet received a report which sought approval to seek an Article 4 direction for Kao Park in order to remove permitted development rights from the area.

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

RESOLVED that Cabinet:

- A** Approved the seeking of an Article 4 direction for Kao Park, covered by the London Road South Local Development Order (LDO), and the area of Templefields covered by the Templefields LDO and to formally seek the consent of the Secretary of State to grant this.

56. **CHANGES TO THE MEMBERSHIP OF THE HARLOW LOCAL HIGHWAYS PANEL**

Cabinet received a report to change the membership of the Harlow Local Highways Panel.

RESOLVED that:

A Councillors Karen Clempner and Mike Danvers were appointed to the Harlow Local Highways Panel in place of Councillors David Carter and Tony Hall.

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

a) **Referral from Audit and Standards Committee - 2016/17 Statement of Accounts**

Cabinet considered a referral from the Audit and Standards Committee to approve the 2016/17 Statement of Accounts.

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

RESOLVED that Cabinet approved the 2016/17 Statement of Accounts (attached as Appendix 1 to the report) be approved.

b) **Referral from Audit and Standards Committee - Management Letter of Representations 2016/17**

The Cabinet received a report from the Audit & Standards Committee recommending that the Management Letter of Representation 2016/17 is acknowledged.

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

RESOLVED that Cabinet acknowledged the Management Letter of Representation 2016/17 (attached as Appendix 1 to the report).

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

RESOLVED that the minutes of the following meetings are noted.

a) **Minutes of meeting Thursday, 15 June 2017 of Shareholders Sub-Committee**

b) **Minutes of meeting Tuesday, 27 June 2017 of Safety Committee**

c) **Minutes of meeting Thursday, 10 August 2017 of Cabinet Overview Working Group**

59. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL