

**MINUTES OF THE CABINET
HELD ON**

18 October 2018

7.30 - 8.00 pm

PRESENT

Committee Members

Councillor Mark Ingall, Leader of the Council
Councillor Mark Wilkinson, Deputy Leader and Portfolio Holder for Housing
Councillor Mike Danvers, Portfolio Holder for Resources
Councillor Eugenie Harvey, Portfolio Holder for Community and Wellbeing
Councillor Danny Purton, Portfolio Holder for Environment
Councillor Lanie Shears, Portfolio Holder for Governance & Equality and Diversity
Councillor John Strachan, Portfolio Holder for Regeneration
Councillor Emma Toal, Portfolio Holder for Economic Growth

Other Councillors

Councillor David Carter
Councillor Simon Carter
Councillor Joel Charles
Councillor Tony Hall
Councillor Andrew Johnson
Councillor Chris Vince

Officers

Brian Keane, Managing Director
Andrew Bramidge, Project Director - Enterprise Zone and Interim Head of Planning
Simon Freeman, Head of Finance and Deputy to the Managing Director
Jane Greer, Head of Community Wellbeing
Andrew Murray, Head of Housing
Colleen O'Boyle, Interim Head of Governance
Adam Rees, Governance Support Officer

58. **APOLOGIES FOR ABSENCE**

None.

59. **DECLARATIONS OF INTEREST**

None.

60. **MINUTES**

RESOLVED that the minutes of the meeting held on 13 September 2018 are agreed as a correct record and signed by the Leader.

61. **MATTERS ARISING**

None.

62. **WRITTEN QUESTIONS FROM THE PUBLIC**

The question, together with the answer, is appended to the minutes.

63. **WRITTEN QUESTIONS FROM COUNCILLORS**

None.

64. **PETITIONS**

a) **Policing in the Town Centre**

In the absence of Councillor Tony Edwards due to ill health, Councillor Chris Vince presented the petition to Cabinet.

The Leader said that the petition would be included in the evidence base of the Scrutiny Committee's Review of Policing in the Town.

RESOLVED that the petition was noted.

65. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

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

None.

67. **REVIEW OF ENTERPRISE ZONE BUSINESS RATES RELIEF POLICY**

Cabinet received a report which proposed amendments to the Council's Enterprise Zone Business Rates Relief Policy.

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

RESOLVED that:

- A** The revised Business Rates Relief Policy, attached as Appendix 1 to the report, be approved.

68. **CONTRACT AWARD FOR EXTERNAL REFURBISHMENT WORKS TO 15-96 AND 129-312 THE HIDES**

Cabinet received a report to award a contract to carry out a range of external refurbishment works to 15-96 and 129-312 The Hides.

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

RESOLVED that:

- A** The most economically advantageous tender submitted by Contractor D be accepted in the sum of £929,376.35 for the delivery of the external refurbishment works programme subject to contract and Leaseholder consultation.

69. **CONTRACT AWARD FOR EXTERNAL REFURBISHMENT WORKS TO 7-255 THE HORNBEAMS**

Cabinet received a report to award a contract to carry out a range of external refurbishment works to 7-255 The Hornbeams.

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

RESOLVED that:

- A** The most economically advantageous tender submitted by Contractor E be accepted in the sum of £355,809.85 for the delivery of the external refurbishment works as detailed subject to contract and Leaseholder consultation.

70. **APPOINTMENTS TO CABINET OVERVIEW WORKING GROUP, PANELS AND PARTNERSHIP BODIES**

RESOLVED that appointments were made to the Cabinet Overview Working Group, Panels and Partnership Bodies as appended to the minutes.

71. **CABINET OVERVIEW WORKING GROUP WORK PLAN 2018/19**

RESOLVED that Houses of Multiple Occupation and the Housing Strategy be added to the Cabinet Overview Working Group Work Plan.

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

None.

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

RESOLVED that the minutes of the following meetings are noted.

- a) Minutes of meeting Monday, 17 September 2018 of Harlow Local Highways Panel

74. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

**CABINET – 18 OCTOBER 2018
QUESTIONS FROM THE PUBLIC**

Agenda item 5 refers

1. **Ms Sheila Sullivan to Councillor Mark Wilkinson, Deputy Leader and Portfolio Holder for Housing**

At the Cabinet meeting on 25 January 2018 I addressed a question to the relevant portfolio holder concerning Stevenage Borough Council's introduction of an Article 4 Direction. That Direction removed permitted development rights for changes of use from C3(residential) to C4(HMO) across all wards in the borough. I asked why Harlow Council could not follow the same process to establish the same protection for all wards in Harlow. I received a written reply stating that Officers would be preparing a report for discussion and the Cabinet would make a decision. The expectation was that the report would be available in March 2018.

The introduction of the relevant Article 4 Direction would not stop the development of HMOs in Harlow but it would require developers to obtain planning consent before converting properties. This enables the local planning authority to assess and decide on the suitability of the conversion. If either developer or neighbours are unhappy with that decision, they have the right of appeal to the independent Planning Inspectorate. People living in Harlow at present have no voice in this process and many have suffered adverse effects when it is all too late.

Six months on, what progress has been made with this report?

Reply from Councillor Mark Wilkinson, Deputy Leader and Portfolio Holder for Housing

Officers have looked at the work that Stevenage Borough Council has done in securing an Article 4 Direction to remove permitted development rights in relation to HMO conversions. It has been concluded that this approach would not be possible in Harlow. Stevenage have a provision in their local plan which links the development of HMOs to the provision of adequate car parking. As such, they have been able to secure a borough-wide Article 4 Direction using this criterion which will require applicants to submit full planning applications demonstrating that sufficient parking provision is being made. Such a provision does not exist in Harlow's current Local Plan and so we are not able to use the same methodology as Stevenage. The Council has received legal advice that it would not be successful with any town-wide Article 4 Direction. It should be pointed out that when Harlow's new draft Local Plan is adopted, which it is hoped will be in June 2019, we will then have the ability to follow the same process that Stevenage have done.

Agenda item 5 refers

The Council has though already indicated its willingness to seek Article 4 Directions where we think this is justified and would be successful. In recent months the Council has introduced an Article 4 Direction in the Enterprise Zone at Templefields and Officers are currently looking at the feasibility of further Article 4 Directions in other locations across the town. A report in connection with this was discussed at the Scrutiny Committee on 16 October. Additionally, a motion will be moved at the Full Council meeting on 1 November.

Lastly, whilst HMOs contribute to meeting housing needs, particularly of single young people, and help keep homelessness down, we have been made aware of the issues some poorly managed HMOs have been causing to their neighbours. With this in mind we are reviewing the powers we already have for regulating HMOs to see if there is more that can be done to enhance good neighbourly relations.

CABINET APPOINTMENTS 2018/19

Recommended that changes to the appointments to Cabinet bodies for 2018/19 are amended as highlighted in bold below:

Cabinet Overview Working Group

Cabinet Overview Working Group (10)	
Conservative (4)	Labour (6)
David Carter	Tony Durcan (c)
Simon Carter	Tony Edwards (vc)
Mike Garnett	Jean Clark
Shona Johnson	Bob Davis
	Maggie Hulcoop
	Edna Stevens

Partnership and Liaison Bodies

West Essex Wellbeing Joint Committee (2 + 1 Substitute)
Tony Edwards
Eugenie Harvey
Mark Ingall (sub)