

**MINUTES OF THE CABINET
HELD ON**

4 November 2021

7.30 - 9.55 pm

PRESENT

Committee Members

Councillor Russell Perrin, Leader of the Council
Councillor Joel Charles, Deputy Leader and Portfolio Holder Community Resilience
Councillor Simon Carter, Portfolio Holder for Housing
Councillor Alastair Gunn, Portfolio Holder for Environment
Councillor Michael Hardware, Portfolio Holder for Strategic Growth
Councillor Dan Swords, Portfolio Holder for Regeneration

Additional Attendees

Councillor James Leppard
Councillor Nicky Purse
Councillor Matthew Siggers

Other Councillors

Councillor David Carter
Councillor Bob Davis
Councillor Tony Durcan
Councillor Tony Edwards
Councillor Michael Garnett
Councillor Eugenie Harvey
Councillor Chris Vince

Officers

Hannah Criddle, Governance Support Officer
Niel Churchill, Communications Manager
Simon Freeman, Deputy to the Chief Executive and Director of Finance
Jane Greer, Director of Communities and Environment
Simon Hill, Director of Governance and Corporate Support
Andrew Murray, Director of Housing

69. **APOLOGIES FOR ABSENCE**

None.

70. **DECLARATIONS OF INTEREST**

Councillor Tony Durcan declared a pecuniary interest as a non-executive Director of HTS (Housing and Regeneration) Ltd.

71. **MINUTES**

RESOLVED that the minutes of the meeting held on 14 October 2021 are agreed as a correct record and signed by the Leader.

72. **MATTERS ARISING**

None.

73. **WRITTEN QUESTIONS FROM THE PUBLIC**

The questions, together with the answers, are appended to the minutes.

74. **WRITTEN QUESTIONS FROM COUNCILLORS**

The questions, together with the answers, are appended to the minutes.

75. **PETITIONS**

None.

76. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

77. **ROLLING INFRASTRUCTURE FUND MEMORANDUM OF UNDERSTANDING**

Cabinet received a report on the Rolling Infrastructure Fund Memorandum of Understanding.

Councillor Michael Hardware proposed that the following additional recommendation be included:

“Delegated authority is provided to the Director of Strategic Growth and Regeneration in consultation with the Portfolio Holder for Strategic Growth to agree any minor amendments to the Memorandum of Understanding that arise from the decision making structures of the other four HGGT partners.”

The additional recommendation was agreed.

Proposed by Councillor Michael Hardware (seconded by Councillor Dan Swords) it was:

RESOLVED that Cabinet agreed:

- A** The Memorandum of Understanding relating to The Harlow & Gilston Garden Town Rolling Infrastructure Fund (attached as Appendix A to the report) and agrees its submission to Homes England by the end of November 2021 as required of the Harlow and Gilston Garden Town Authority partners and specifically Hertfordshire County Council (as accountable body for the Housing Investment Grant funding to which the Memorandum of Understanding relates).

- B** To set up and operate the Rolling Infrastructure Fund ‘in principle’ subject to more detailed work and approval of the appropriate governance and operational arrangements for its management.
- C** To govern the Rolling Infrastructure Fund initially in accordance with the approved Memorandum of Understanding as required by Homes England as a condition of the Housing Investment Grant funding and subsequently in accordance with any further governance arrangements that may be effected.
- D** Delegated authority is provided to the Director of Strategic Growth and Regeneration in consultation with the Portfolio Holder for Strategic Growth to agree any minor amendments to the Memorandum of Understanding that arise from the decision making structures of the other four HGGT partners.”

78. **ENVIRONMENTAL ENFORCEMENT DELIVERY**

Cabinet received a report on the delivery of environmental enforcement.

Proposed by Councillor Alastair Gunn (seconded by Councillor Michael Hardware) it was:

RESOLVED that:

- A** The Council tender for environmental enforcement services as set out under Proposals in the report with a service specification to be determined by the Director of Strategic Growth and Regeneration, in consultation with Portfolio Holder for Environment.
- B** The current pilot operation continue with NES as the Council’s contractor until 31 March 2022 to provide service continuity through the procurement process recommended at A above.
- C** The Council engage in communications measures to enhance the effect of enforcement as set out under Proposals in the report.

79. **TREE PLANTING AND BIO-DIVERSITY MANAGEMENT**

Cabinet received a report on the management of tree planting and bio-diversity.

Proposed by Councillor Alastair Gunn (seconded by Councillor Dan Swords) it was:

RESOLVED that:

- A** The tree planting programme for winter 2021/22 as set out in Appendix A to the report is approved with a commitment to develop a medium term (3 – 5 years) tree planting strategy by March 2022 which is then reviewed on an annual basis.
- B** The approach to woodland management as set out in Appendix B to the report is agreed.
- C** The approach to grassland management as set out in Appendix C to the report is agreed including the increase in wildflower planting from four strips in 2021 to a minimum of eight in 2022 with the final locations to be agreed by the Portfolio Holder for Environment.
- D** Cabinet agree to end the use of single use plastics in all of its tree planting and bio-diversity work with effect from the 2022/23 winter programme.

80. **HARLOW AND GILSTON GARDEN TOWN TRANSPORT STRATEGY**

Cabinet received a report on the Harlow and Gilston Garden Town Transport Strategy.

Proposed by Councillor Michael Hardware (seconded by Councillor Dan Swords) it was:

RESOLVED that:

- A** Cabinet consider the Harlow and Gilston Garden Town Transport Strategy, October 2021 (as set out in Appendix A to the report), together with the accompanying appendices including the high level programme (as set out in Appendix B to the report), consultation report (as set out in Appendix C to the report) and equality impact assessment (as set out in Appendix D to the report).
- B** Cabinet approves the Transport Strategy as a material consideration in the planning process for the preparation of masterplans, pre-application advice, assessing planning applications and any other development management purpose for all sites within the Garden Town area, including Harlow District in its entirety.
- C** Cabinet delegate to the Director of Strategic Growth and Regeneration in consultation with the Portfolio Holder for Strategic Growth and the Director of the Harlow and Gilston Garden Town to make any minor text or design amendments to the Transport Strategy prior to publication should there be necessity for clarification or changes proposed by the respective decision makers of East Herts, Harlow and Epping Forest Districts and Essex and Hertfordshire Counties in order to ensure a consistent document.

- D Cabinet endorses the future transport network plan (on pages 34-35 of the Transport Strategy) in so far that it identifies, illustratively, the proposed Sustainable Transport Corridors extending from the Town Centre to the north, east, south and west and confirm support in principle for the delivery of new infrastructure that supports safe and attractive travel by walking, cycling and public transport that will benefit existing neighbourhoods of Harlow and sustainably integrate any proposed new allocations with the town.
- E Cabinet acknowledge that the ambition, mode share objective and principles in the Transport Strategy should help shape existing and future work programmes of the Highway Authorities across the Garden Town, and can provide supporting justification for funding submissions and spending commitments in relation to transport. Content will also be relevant to development, regeneration and other initiatives undertaken by Harlow Council.
- F Although recognising that endorsing the Transport Strategy is not a legally binding act, Cabinet agrees that it will not introduce a congestion charging scheme for Harlow and will continue to work to improve residential parking amenity for existing Harlow residents.

81. **HEALTH AND WELLBEING STRATEGY - POSITIONING STATEMENT**

Cabinet received a report on the Health and Wellbeing Strategy.

Proposed by Councillor Joel Charles (seconded by Councillor Russell Perrin) it was:

RESOLVED that the Cabinet:

- A Approves the Harlow Health and Wellbeing Partnership Board Strategy Positioning Statement (attached at Appendix A to the report) to ensure residents are fully aware of the Council's current position and intentions until such time that relevant data is available to inform development and publication of a new robust, relevant and aspirational Health and Wellbeing Partnership Board Strategy for Harlow.
- B Acknowledge the need to develop a new Health and Wellbeing Partnership Board Strategy for 2022 – 2025 that is driven by the most recent and reliable local health and wellbeing data available.

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

a) **Local Plan - Statement of Community Involvement**

Cabinet received a report on the consultation of the Statement of Community Involvement.

Proposed by Councillor Michael Hardware (seconded by Councillor Russell Perrin) it was:

RESOLVED that the Cabinet:

- A** Approves the Draft Statement of Community Involvement (attached as Appendix A to the report), to enable it to be published for the purposes of consultation.
- B** Delegates authority to the Director of Strategic Growth and Regeneration, in consultation with the Portfolio Holder for Strategic Growth, to make and approve any minor or inconsequential amendments to the Draft Statement of Community Involvement arising from the statutory consultation.

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

None.

84. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

Cabinet – 4 November 2021

Questions from the Public

1 Jake Shepherd to Councillor Dan Swords (Portfolio Holder for Regeneration):

Given the role of Carridon Property in presiding over Terminus House and Templefields House, two (of the twelve) Permitted Development Rights (PDR) conversions which have been described by one Carridon resident as "an open prison", why has this Council welcomed Carridon as the official 2021 partner sponsor?

Reply from Councillor Dan Swords (Portfolio Holder for Regeneration):

As I have made clear many times, it was because of the previous administration's failure to act in introducing an Article 4 directive when they should have done so that allowed for office-to-residential conversions to take place in this town. I never heard that administration or anyone in it to apologise for their failure to act, nor did they purchase Terminus House when it was offered to the Council for the grand total of £1. For both of those reasons the issues that are faced are because of the previous administration's failure to act.

We are acting and we have applied to massively strengthen the Article 4 directive so that never again can this be allowed to happen in such a way. I look forward to updating councillors and residents on our progress in tackling the issues left by the previous administration in this area.

Specifically on the Harlow Town Centre Awards I am sure Mr Shepherd would agree that they were a roaring success with over 120 people attending and celebrating all that is great about our town centre.

Not only was it a roaring success, but it came at no expense to the taxpayer as 12 very generous sponsors paid for the fantastic event.

Sponsorship was open to all and Carridon were one of 12 sponsors. Sponsorship is not an endorsement by any of the partnership.

I believe we must deal with the world as it is, and not as we may wish it to be. That's why it is important to actively engage with all building, landowners and businesses to ensure that we deliver and do not hit the road block of no communication. This approach is the best way to deliver one of the primary ambitions for the town centre to be a hub for the community that everyone can share a renewed sense of pride in.

Supplementary Question from Jake Shepherd to Councillor Dan Swords (Portfolio Holder for Regeneration):

Can Councillor Swords see why many will be mystified as to why this Administration would have chosen Caridon as a corporate sponsor for this years Harlow Town Centre Awards?

Supplementary Reply from Councillor Dan Swords (Portfolio Holder for Regeneration):

I think perhaps anyone that was mystified after listening to my answer a few moment ago may no longer be mystified.

2 Jake Shepherd to Councillor Michael Hardware (Portfolio Holder for Strategic Growth):

As the sole Youth Representative of HGGT's Village 1 Master Planning Working Group, I quote the terms of reference for the group: "In the event of a member organisation failing to attend two consecutive meetings the group can agree to inviting a different organisation or individual".

Cllr Michael Hardware, the named single representative on behalf of Harlow District Council, has failed (without offering any apologies to the Chair or via any other members) to attend two consecutive meetings. Will this administration take action to represent Harlow District Council within the collaborative design process, which directly seeks to represent and respond to the views and concerns of local residents?

Reply from Councillor Michael Hardware (Portfolio Holder for Strategic Growth):

Yes, I was invited in May this year by Places for People, the Gilston developer, to join several groups to participate in the delivery of its engagement strategy to support the various planning applications it is progressing.

The master planning processes for all the developments around Harlow are important, especially so the seven villages at Gilston as this is where the majority of the growth for Harlow is going to come. Given the physical proximity of Gilston to Harlow and our shared vision for the Garden Town, they need to reflect our aspirations and be designed to be integrated with Harlow ensuring new residents feel part of this community, and that existing Harlow residents view them as an integral part of the town.

I have been unable to attend the first two meetings I was invited to: one in July and the other in September. I had prior engagements for each. I had no deputy to send in my stead and an officer representative was not allowed. Harlow Council is

currently in discussion with East Hertfordshire District Council about ensuring appropriate representation.

Hopefully we will be able to resolve this with the future meetings to ensure Harlow can participate fully.

Supplementary Question from Jake Shepherd to Councillor Michael Hardware (Portfolio Holder for Strategic Growth):

Can Councillor Hardware understand why it is perhaps embarrassing as the sole representative from Harlow to be the only person from Harlow in attendance at two meetings in this very important process?

Supplementary Reply from Councillor Michael Hardware (Portfolio Holder for Strategic Growth):

Yes I can and there were emails exchanged with the organiser of the meetings because I couldn't attend. Apologies were submitted but there was no way we could get around this rule of not being able to send a deputy or not being able to send an officer. Hopefully we will resolve that in the near future.

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Questions from Councillors

1 Councillor Chris Vince to Councillor Russell Perrin (Leader of the Council):

Can the administration explain why Harlow's bid for the levelling up fund was unsuccessful and what re-assurances can they give that when the second wave of funding becomes available in Spring of next year Harlow will be successful?

Reply from Councillor Russell Perrin (Leader of the Council):

Harlow Council's bid for Playhouse Quarter and Stone Cross Square was submitted in the first round of the government competition for the Levelling Up Fund.

In June, we secured £23.7 million from the Government to kick start key regeneration projects. We submitted a bid as part of the Levelling Up Fund for further investment to support our regeneration plans.

Our bid was scored very highly by Government officials and we have been invited into the second round of funding expected in the Spring of next year. The Council strongly welcomes this as it gives our new administration more time to ensure our bid fits into our wider regeneration plans.

Supplementary question from Councillor Chris Vince to Councillor Russell Perrin (Leader of the Council):

When was the bid of £23.7 million submitted?

Supplementary reply from Councillor Russell Perrin (Leader of the Council):

I will get an officer to send a reply in writing.

2 Councillor Tony Edwards to Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

Noting the next meeting of the Covid Recovery Working Group has now been scheduled for the 9th of November. Could the Community Resilience Portfolio Holder explain what he understands to be the terms of reference of the Working Group and why the Group has only had one meeting (28th June) since the Conservative administration took office in May of this year.

Reply from Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

At Annual Full Council, the working group meeting dates for the municipal year were agreed formally. It was agreed by Annual Full Council that meetings would only be held on a quarterly basis. The September meeting was postponed because it clashed with another meeting. At the point where we were planning for that meeting to be moved, infection rates in the town had dropped and the governance cycle meant that a meeting was not able to be arranged. It was agreed that the Covid Recovery Working Group would meet early this month. I can confirm that the working group will be on the 9th of November. Members of the working group should receive the agenda shortly.

The Council continues to monitor Covid-19 infection levels in the town carefully and stands ready to work closely with all community leaders to do everything possible to safeguard public health if circumstances change.

The terms of the working group are:-

- (i) To advise the Portfolio Holder on the proposals contained within the developing pandemic action plan including short, medium and long term objectives and measures taking into account the changing landscape.
- (ii) To provide a forum for consultation on measures and strategy within the pandemic action plan.
- (iii) To advise and comment on work with regional health officials to prepare for and mitigate any further outbreak or second wave of infection in Harlow;
- (iv) To identify Council-related impacts that may require additional resources or service delivery methods; and
- (v) To provide a focus for:

Developing greater community resilience

- community action, cohesion, and greater resilience.
- supporting the recovery of BAME communities, clinically vulnerable and other marginalised groups
- engagement with the voluntary sector and faith-based communities

Educating the public about health risks and working to mitigate future outbreaks

- preparation and planning to ensure, with other public sector agencies, that in the face of future outbreaks or emergencies, all residents are

given the best possible health protection and outcomes, particularly those at risk of health inequalities.

- community education on the on-going public health risk and to mitigate future Outbreaks

Advancing the post-COVID local economy

- proposals for new ways of working
- business engagement
- innovative ways of growing the local economy

(v) To harness data and monitor recovery performance to ensure that services delivered post COVID, meet the changing needs of residents and businesses.

Supplementary question from Councillor Tony Edwards to Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

Noting that between 22 July 2020 and 22 March 2021 there were 10 meetings, the importance given to it at that time, and I hear now that it has now been reduced to quarterly meetings and noting that the Covid pandemic is not over yet by a long way, will there be a facility to revisit with the members of that group the frequency of meetings and given the enormity of the agenda that we are going to have to tackle will we have the opportunity of meeting on a more frequent basis to address the issues that are likely to come forward?

Supplementary reply from Councillor Joel Charles (Deputy Leader and Portfolio Holder for Community Resilience):

I am happy to discuss at the next Covid Recovery Working Group on 9 November the frequency of meetings. We obviously need to keep the situation particularly around Covid infections under constant review and the Council does do this. There are two key things I will just add on the back of what Councillor Edwards has said. The Council has already commenced activity around community resilience with its strategy and consultation going forward and you will see on the agenda for later this evening that we have set out our position statement around our Health and Wellbeing Strategy and considerations that we want to take forward. I am very keen and look forward to the thoughts of all Members on that cross party working group. My commitment to that working group is that we will keep the situation under review and will look at the frequency of our engagement to determine what actions need to be taken going forward. I look forward to that discussion coming up early next week.