

**MINUTES OF THE CABINET
HELD ON**

1 December 2022

7.30 - 9.20 pm

PRESENT

Committee Members

Councillor Dan Swords, Deputy Leader and Portfolio Holder for Regeneration

Councillor Joel Charles, Portfolio Holder for Business and Community

Resilience

Councillor Alastair Gunn, Portfolio Holder for Governance

Councillor Nicky Purse, Portfolio Holder for Environment

Additional Attendees

Councillor Matthew Saggars

Other Councillors

Councillor David Carter

Councillor Simon Carter

Councillor Tony Durcan

Councillor James Griggs

Councillor Stacy Seales

Councillor Chris Vince

Officers

Rob Tinlin, Interim Chief Executive

Andrew Bramidge, Director of

Strategic Growth and Regeneration

Simon Freeman, Deputy to the Chief

Executive and Director of Finance

James Gardner, Assistant Director -

Regeneration

Jane Greer, Director of Communities

and Environment

Simon Hill, Director of Governance

and Corporate Services

Adam Rees, Senior Governance

Support Officer

74. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Michael Hardware, Steve LeMay, James Leppard and Russell Perrin.

75. **DECLARATIONS OF INTEREST**

Councillor Vince declared a non-pecuniary interest in Item 18, Adoption of Wych Elm Development Brief, as someone who worked in the area affected by the Brief.

76. **MINUTES**

RESOLVED that the minutes of the meeting held on 13 October and 17 November 2022 are agreed as a correct record and signed by the Deputy Leader.

77. **MATTERS ARISING**

None.

78. **WRITTEN QUESTIONS FROM THE PUBLIC**

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

79. **WRITTEN QUESTIONS FROM COUNCILLORS**

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

80. **PETITIONS**

None.

81. **FORWARD PLAN**

RESOLVED that the Forward Plan is noted.

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

RESOLVED that the following decisions be noted.

- a) Portfolio Holder for Housing - 20 October 2022
- b) Leader of the Council - 4 November 2022
- c) Leader of the Council - 16 November 2022

83. **JOINT FINANCE AND PERFORMANCE REPORT, QUARTER 2 2022/23**

Cabinet received the Quarter 2 Joint Finance and Performance Report for 2022/23.

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

RESOLVED that Cabinet noted:

- A** The forecast outturn position set out within the report in respect of the General Fund for the second quarter (April- September) of 2022/23 of a projected overspend of £666,000 or 1.12 percent of the gross General Fund Budget.
- B** The Quarter 2 operational performance and risk management that has been achieved in 2022/23 across all Council services.

84. **HOUSING REVENUE ACCOUNT, QUARTER 2 FINANCE REPORT 2022/23**

Cabinet received the Quarter 2 Housing Revenue Account report for 2022/23.

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

RESOLVED that Cabinet noted:

- A** The Quarter 2 - HRA Budget and performance Monitoring report as set out in the report and the appendix to the report.
- B** That the forecast HRA general working balance as at 31 March 2023 will be £9.438 million.

85. **CAPITAL PROGRAMMES, QUARTER 2 FINANCE REPORT 2022/23**

Cabinet received the Quarter 2, Capital Programmes report for 2022/23.

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

RESOLVED that Cabinet:

- A** Noted the progress and forecasts in the delivery of the Council's Housing Capital Programme (HCP) as at Quarter 2 2022/23 as follows:
 - i) The current budget is £34.715 million, including £2.762 million carried forward from 2021/22. The projected outturn at Quarter 2 is £23.935 million as set out in Appendix 1 to the report.
- B** Noted the progress in the delivery of the Council's Non-Housing Capital Programme (NHCP) as at Quarter 2 2022/23 as follows:
 - i) The current budget is £22.846 million, including £4.066 million carried forward from 2021/22. The projected outturn at Quarter 2 is £19.325 million as set out in Appendix 2 to the report.
- C** Approved the inclusion in the HCP budget of an additional £835,542 for the purchase of land at Parnall Road. Expenditure is to be fully financed from a Section 106 agreement.

86. **ANNUAL TREASURY MANAGEMENT REPORT 2021/22**

Cabinet received the Annual Treasury Management report for 2021/22.

Proposed by Councillor Dan Swords (seconded by Councillor Joel Charles) it was:

RESOLVED that:

- A** Cabinet noted the annual Treasury Management Report for 2021/22, as set out in Appendix A to the report, and that the Council operated within the Treasury Management Strategy Statement during 2021/22 recommended the report to Full Council for approval.

87. **TREASURY MANAGEMENT STRATEGY STATEMENT 2022/23: MID-YEAR REVIEW**

Cabinet received the Treasury Management Statement 2022/23: Mid-Year Review.

Proposed by Councillor Dan Swords (seconded by Councillor Joel Charles) it was:

RESOLVED that:

- A** The Mid-Year Review of the Treasury Management Strategy, as set out in Appendix A to the report, be noted and referred to Council for consideration.

88. **LOCAL COUNCIL TAX SUPPORT SCHEME PROPOSALS**

Cabinet received a report on the annual review of the Local Council Tax Support Scheme.

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

RESOLVED that Cabinet:

- A** Acknowledged the current position regarding the 2022/23 Local Council Tax Support Scheme and endorses continuing stability within the scheme for 2023/24.
- B** Recommended to Council that the current Local Council Tax Support Scheme remains unchanged for the 2023/24 financial year.

89. **HEALTH AND WELLBEING STRATEGY**

Cabinet received a report to adopt the Harlow Health and Wellbeing Strategy subject to consultation.

Councillor Griggs declared a non-pecuniary interest as Co-Chair of Harlow and West Essex Pride.

Proposed by Councillor Joel Charles (seconded by Councillor Dan Swords) it was:

RESOLVED that Cabinet:

- A** Adopted the draft Harlow Health and Wellbeing Strategy, covering 2023 to 2028. This is subject to a consultation process in order to support and encourage further partnership activity to help deliver better health outcomes for the residents of Harlow.
- B** Authorised that consultation be undertaken on this draft for a period of six weeks. Minor amendments will be submitted to the Director of Communities and Environment who will, in conjunction with the Portfolio Holder for Business and Community Resilience, develop the final version of the strategy following the conclusion of the consultation period.

90. **CUSTOMER STRATEGY**

Cabinet received a report to adopt the Customer Service Strategy.

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

RESOLVED that:

- A** Cabinet adopted the Customer Service Strategy, and associated action plan (attached as appendices A and B to the report).

91. **ADOPTION OF THE WYCH ELM DEVELOPMENT BRIEF**

Cabinet received a report to adopt the Wych Elm Development Brief.

Proposed by Councillor Dan Swords (seconded by Councillor Joel Charles) it was:

RESOLVED that Cabinet:

- A** Notes the responses received to the consultation and approves the consequential amendments made to the Wych Elm Development Brief.
- B** Formally adopts the Development Brief as set out in Appendix A to this report.

92. **AFFORDABLE HOUSING S106 POLICY ADOPTION**

Cabinet received a report to adopt the Affordable Housing Section 106 Policy.

Proposed by Councillor Dan Swords (seconded by Councillor Joel Charles) it was:

RESOLVED that Cabinet:

- A** Noted the responses received to the consultation and agrees the consequential amendments made to the Addendum to the Adopted Affordable and Specialist Housing Supplementary Planning Document (SPD) (as set out at Appendix B) to this report).
- B** Adopted the SPD addendum as set out in Appendix A to this report and delegates authority to the Director of Strategic Growth and Regeneration in consultation with the relevant Portfolio Holder to make and agree any minor or inconsequential amendments to the Supplementary Planning Document arising from any matters discussed and agreed at Cabinet.

93. **STAPLE TYE SPD ADOPTION**

Cabinet received a report to adopt the Staple Tye Supplementary Planning Document.

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

RESOLVED that Cabinet:

- A** Noted the responses received to the consultation and agrees the consequential amendments made to the Staple Tye Supplementary Planning Document (SPD) as set out at Appendix B to this report.
- B** Formally adopted the SPD as set out in Appendix A to this report and delegates authority to the Director of Strategic Growth and Regeneration in consultation with the relevant Portfolio Holders to make and agree any minor or inconsequential amendments to the Staple Tye Supplementary Planning Document arising from any matters discussed and agreed at Cabinet.

94. **ENVIRONMENTAL ENFORCEMENT CONTRACT - TENDER PROCESS OUTCOME**

Cabinet received a report to accept a bid for an environmental enforcement contract.

Proposed by Councillor Alastair Gunn (seconded by Councillor Nicky Purse) it was:

RESOLVED that:

- A** The most advantageous bid submitted by Contractor A, National Enforcement Solutions Limited, be accepted.
- B** Authority be delegated to the Director of Communities and Environment in consultation with the Portfolio Holder for Governance to enter into contract with the successful bidder on the terms of the tender.

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

None.

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

None.

97. **MATTERS OF URGENT BUSINESS**

None.

LEADER OF THE COUNCIL

Cabinet – 1 December 2022

Questions from the Public

1 Colin Thorpe to Councillor Dan Swords (Deputy Leader and Portfolio Holder for Regeneration):

Osler House refurbishment is quoted as being £114,000 more than the available budget but as Councillor LeMay hasn't allowed me to be part of the discussions as promised and my FOIA application has only been partly addressed, which may force me to ask the Commissioner to look into why this is.

At this moment in time I have no way of knowing how much the Trust will be contributing to those costs over and above the amount £22,000 allowed in the Trusts' budget.

So, my question is twofold: when will I be allowed to see those costings rather than being presented with a fait accompli; and why are the funds allocated to the Neighbourhood Office being transferred to the Latton Bush Centre when they could be used to refurbish Osler House?

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

Thank you for your question and I fully recognise your passion and commitment to this project.

As you are aware, this has been fully reviewed in light of rising construction costs, the state of disrepair to the building and ultimately, value for money to the taxpayer.

At the time of the proposal coming forward, before the pandemic, a capital budget of £225,520 was allocated to cover the works and the professional fees required to bring the building up to a lettable standard. Since then, construction costs and inflation have risen dramatically and financial restraints on the Council have increased.

The most recent quote for the works to bring the property up to a lettable standard from HTS, submitted through a business case, was £349,172. However, given the rising inflation, construction costs and worsening state of the building it is a realistic and accurate assumption that the works required would be in excess of £400,000.

I must be honest that this presents a difficult situation and certainty about the project is urgently required. Therefore, officers and I will arrange to meet with you next week to discuss this and the next steps.

We are absolutely committed to investing in health and wellbeing as Cllr Charles will set out shortly and further to the regeneration of the Potter Street neighbourhood and I will announce further plans to do so in the very near future.

With regard to your question about the virement from the neighbourhood office and the Latton Bush Centre, this is in line with the regeneration plans we are working on and allows us to address an urgent situation at the Latton Bush Centre.

Supplementary question from Colin Thorpe:

Funding has been made available for other areas. How is there no funding for Osler House?

Supplementary reply from Councillor Dan Swords:

The Council has a number of issues it needs to address. We will meet with you next week to discuss next steps.

2 Colin Thorpe to Councillor Joel Charles (Portfolio Holder for Business and Community Resilience):

The Potter Street Health and Wellbeing Trust's proposal clearly follows not only the Robert Wood Johnson Model, but also Core20PLUS. If Harlow is classed as the 2nd worst town in Essex and the 20th in the whole of England for Deprivation, Child Poverty, Health, Crime etc. and the various different bodies I've been working with such as Harlow Poverty Alliance and Herts & West Essex ICB recognise the value of Wellbeing Hubs such as the Trust is proposing, why is this Council putting costs before the Wellbeing of Harlow's population when adequate funds are available in Capital Budget to push the Trust's proposal forward?

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

The Health and Wellbeing Strategy includes a number of statistics that paint a sobering picture of the key public health issues facing the town today. That is why the Council has taken the decision to depart from the previous approaches used to tackle health and wellbeing challenges to look at ways, as a community leader, to curb the socio-economic determinants that compound the issues highlighted in the strategy. The Council's approach will be governed not only by the strategy, but also the actions it agrees to take forward with key partners to address health and wellbeing inequalities in the town. Part of the ambition of the strategy is to seek further investment from Essex County Council as the lead public health authority and other health bodies to arrest the trend of avoidable wellbeing issues.

The Council is looking at how it achieves the better outreach of wellbeing services across the town, and part of that work has been the continued funding of the Community Hub operated by Rainbow Services. There is a continued dialogue with our local healthcare leaders and Essex County Council, through a partnership approach that the council hopes to build on further as officers provide evidence to them about the effectiveness of the hub approach.

In taking this all forward, it is always important to look carefully at how we deploy the Council's limited resources across the town.

The Council is committed to actively working with the Potter Street Wellbeing Hub Trust to seek to find venues from which it can commence running some wellbeing activities in the Potter Street area.

Cabinet – 1 December 2022

Questions from Councillors

1 Councillor Chris Vince to Councillor Dan Swords (Deputy Leader and Portfolio Holder for Regeneration):

Following the terrible news about Awaab Ishak what work has Harlow Council done to inspect it's housing stock to ensure that our properties are free of mould and that damp management and damp controls are in place and being used properly?

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

The harrowing case of Awaab Ishak highlights the potentially devastating effects of damp and mould. Any case of damp and mould must be treated with absolute seriousness. We are reviewing every case of damp and mould in our properties and will do all it takes to deal with all issues appropriately and immediately. I have put in place changes to internal processes with immediate effect which I am confident will improve our response to any such case and we keep this under daily review from now on.

As the Secretary of State Michael Gove has made clear, it is absolutely not acceptable to pass these problems as a 'lifestyle issue'. No one in our town should have to live in a home plagued with damp and mould – that should not be a high bar to set – and that is why we will be taking real action to address all cases.

Supplementary question from Councillor Chris Vince:

What specific changes have been made?

Supplementary reply from Councillor Dan Swords:

I will arrange for a written reply to be sent to you.